THE

REGISTER OF THE TIMES,

&c. &c. &c.

From July 15 to July 31.

NATIONAL CONVENTION.

IT was our intention in the preceding number to have given, in addition to the summary of the plan of the new constitution of France, a full and complete copy of it, detailing at length its several parts and divisions—but finding the convention has been occasionally employed since the report of the committee of eleven was first made, in debating regularly article after article, several of which have been altered and amended, we thought it adviseable to wait until the whole revision was gone through, and afterwards publish the plan in a form and shape established and settled by the convention—Several of our cotemporaries have however pursued a different conduct, and hastily committed to the press a rough copy of this much talked-of code of laws, translated from the sketch first laid before the present rulers of France, without considering that in the examination of it, many alterations and several probably of an important nature would doubtless take place, and thereby render of no use many parts of what was first presented.

It is our determination therefore to wait until the new French constitution has past the conventional ordeal, as we shall thereby be enabled to introduce into our miscellany what we can venture to recommend for correctness and authenticity. Our readers will find in the following pages that several alterations have already been made, and it is likely that some of them, as the discussion proceeds, will be important, and consequently worthy of notice.

We have been carefull in reporting the speech of the author of the "RIGHTS OF MAN" and also the French account of the landing of the emigrants in Brittany. At the conclusion of our conventional news, we shall occasionally give the public miscellaneous articles extracted from the parisian newspapers.

18 MESSIDOR, MONDAY, JULY 6.

The plan of a decree brought forward by Gouly, in the name of the committee of marine and colonies, for establishing in each of the ports of Brest, Toulon, and Rochefort, a school for the instruction of enterprising builders of ships, was ordered to be printed and adjourned.

Corenfustier—"You are not ignorant that different departments of the republic have been ravaged by the fury of an interior and foreign war; that the brigands took steps to set on fire and destroy the offices of the administrations, by which the statements of the sale of national domains and the journals of the receivers have been consumed. The regular deeds being thus lost, I move in the name of the committe of finance, that you supply the want of titles, by authorising your committee to declare the proprietors after they have produced satisfactory proofs of their purchases and payments."

Joseph Le Bon resumed his defence, which he concluded by calling upon his colleague Oudot to bear testimony

to his conduct during the eight years they had passed together at the oratory of Braune.

Oudot declared, that he had nothing to say against the manners and probity of Le Bon. He was father of the oratory; he was of a sanguine temper, and displayed all the violence of his character in a quarrel he had with the members of that congregation. In other respects, he knew nothing criminal that could be imputed to him in his private life. Le Bon thanked Oudot for so favourable a testimony; and the further proceedings were adjourned for a decade.

19 MESSIDOR, TUESDAY, JULY 7.

Daunou, in the name of the commission of eleven, presented the following amendment to the fifth article of the declaration of rights:

"Equality consists in this, that the law, whether it protects or punishes, out to be the same to all. There is no distinction on account of birth."

Breard—" It is perfectly useless to say that there is no longer any distinction on account of birth, since you have already declared, that men are born to live equal in rights."

Dubois Crance—" Equality consists in this, that all men have a right to public functions and employments, in proportion to their talents or their virtues, whether they obtain them gradually, or by a secondary cause. I move that this principle may be recognized."

Lanjuinais—" The bases of the declaration of rights are laid: I move that the amendments to be made in that declaration be posponed until after the discussion of the constitution."

Viltar—" I move that the amendments may be discussed, before we proceed to the discussion of the constitution, because the latter ought to be merely the corollary of the declaration of rights."

Reveillere Lepeaux—" If you make the constitution defective, if you set up a moveable government, a government not sufficiently strong to secure civil liberty to all and to each in particular, you will in a little time have a monarchy, and a most absolute one. Every idle discussion, every metaphysical abstraction is a stroke of the poignard given to the country. You have but one mode of remedying all the ills of France, namely, to establish a firm and vigorous government. Let this be your immediate object: I move that we pass to the discussion of the constitution."—decreed.

Lanthenas—" I move that Thomas Paine may be heard. He has some general reflections to present on the bases of every free constitution."

Lanjuinais—" You have decreed that the discussion should open immediately on the constitution: I move that no one be heard, unless on each title of the plan presented."

Lehaye—" The constitution cannot be discussed in parts. The plan of the commission is in general good, but contains imperfections even in its fundamental principles. These defects ought to be combated; and I have something to deliver on that head."

The convention decreed, that Thomas Paine should be heard. Lanthenas read the translation of his speech.

"The long disease which wasted my frame during my confinement in the Luxembourgh, has considerably weakened me. I was persecuted in England for having opposed the enemies of the people. I have been persecuted in France for having defended the rights of the people. But in spite of my disorder the importance of the decision in which you are now occupied has given me strength to appear among you. I do not accuse the people of England or the people of France of persecuting me—I accuse only the despotism that exists in both those countries. Yet if even the people had persecuted me, I should still have held fast to my principles, and should still have persevered in the same line of conduct. Principles which depend upon circumstances do not dwell at the bottom of the heart. My misfortunes, far from affecting my mind, attach me more nearly to the interesting part of society, for whom I have suffered so much. A few days ago I distributed among you a little work, which I have written upon the constitution. The plan which has been presented to you, far from affirming the happiness of all, alienates you from that part of the people, which is most necessary to you, because it is the most laborious. If there exists faults, as I say there do in this constitution, it is better to discover and correct them now, than to wait for the fatal effects of them. A

constitution ought to have two principal points—principles, and the organization of those principles. The organization must correspond with the principles, which is not the case in the constitution which has been submitted to you. The first article of the new constitutional act prescribes the conditions required in order to be classed among citizens. I ask then what name you will give to the other individuals, who cannot pay any contribution. This article is a violation of the three first articles of the declaration of rights. The end of society, you say, is the common good, and government is instituted to guarantee to all the enjoyment of their rights. But according to our constitution, the end of society is only the happiness of those who pay contributions; and it is only to such persons that the government guarantees the enjoyment of their rights. If you decree such an article, future legislators will have only to rest upon it, in order to deprive whom they please of the right of citizen; for if you do not specify the *minimum* of the contribution, and of the possession, the rich, who will pay much, will be the only citizens: hence will result a line of demarcation; hence that species of inconsistency between the rights of man and those of the poor.

"The same inequality exists in the second article of the second title.

"Every French citizen who shall have made a campaign, shall enjoy the rights of citizen."

"But could all men go to the frontiers, and was not that man at his post who constantly defended the public weal by his industry, his labour, and his genius? What would happen to a father, to whom nothing may have been left, on account of his having sacrificed every thing to send his children to the frontiers? He will be deprived of a title which Nature and his country have given to him. I move, therefore, that the plan of the constitution be referred to a commission of revision."

The printing of Thomas Paine's Speech was moved for by several members; others moved the order of the day, on the motion of Thomas Paine.

Taveaux asserted, that the reflections of Paine rested upon a false foundation; for all the citizens, without distinction, would contribute in proportion to their means.

Chenier.—Thomas Paine is known throughout the new and the old world. The vast reputation he possesses gives to every opinion that comes from him a great degree of weight. Besides, he is a representative of the people. This title is alone sufficient for his opinion to be made known to us. But, as there exists a decree which directs the printing of all speeches upon the constitution, the motion for printing is unnecessary."

Charlier.—"You are neither for royalty nor an aristocratical republic. I do not see, therefore, why the printing of Thomas Paine's speech should be opposed."

Daunou.—"By the very extraordinary assertions of Charlier, it would appear, that the commission of eleven proposes to you the plan of an aristocratical republic. The commission never entertained any such intentions: it detests aristocracy as much as possible; but where is aristocracy sought? There where no distinction is attached, either to birth or to professions, whatever these may be."—(*Loud applauses.*)

The convention passed to the order of the day, on Charlier's motion, on the ground that each representative is allowed by a decree to print his opinion on the constitution.

The first article of the constitution, relative to the division of the territory of France, gave rise to a discussion.

Merlin of Douai moved the previous question, on the nomenclature of the departments, such as it had been presented. "Under our present circumstances it would be precipitate to fix the number of the departments. You cannot as yet determine whether the conquered departments will remain united to France or not. I think they ought to be united; but any prejudication would be improper."

A member of the department of Mont Blanc wished that the nomenclature should remain as it now is. "You have promised," said he, "to protect and defend the united territories; you ought not to carry the appearance of doubting the solidity of your conquests. It is of importance, that the republic should have a territory constitutionally divided."

Reveillere Lepeaux.—" The apprehensions expressed are unfounded. The division proposed does not prejudge the union of the conquered departments.

The convention adopted Article I. in the following terms:—

Art. I. France is divided into departments: these are departments l'Ain, l'Aisne, l'Allier, les Basse Alpes, les Hautes Alps, les Alpes Maritimes, l'Ardeche, les Ardennes, l'Arriege, l'Aube, l'Aude, l'Auveyron, les Bouches du Rhone, le Calvados, le Cantal, la Charente, la Charente Inferieure, le Cher, la Correze, la Corse, la Cote, d'Or, les Cotes du Nord, la Creuse, la Dordogne, le Doubs, la Diome, l'Eure, Eure et Loir, le Finistere, le Gard, la Haute Garonne, le Gers, la Gironde, l'Herault, Ilie et Vilaine, l'Indre, Indre et Loire, l'Isere le Jura les Landes, Loir et Cher, la Haute-Loire, la Loire Inferieure, le Loiret, le Lot, Lot et Garonne, la Lozere, Maine et Loire, la Manche, la Marne, la Haute-Marue, la Mayenne, la Meurthe, la Meuse, le Mont Blanc, le Mont-Terrible, le Morbihan, la Mozelle, la Nievre, le Nord, l'Oise, l'Orne, le Pas de Caluis, le Puy de Dome, le Bas de Pyrenees, les Hautes Pyrenees, les Pyrenees Orientales, le Bas-Rhine, le Haut-Rhine, Rhone, Loire, la Haute Saone, Saone et Loire, la Sarthe, la Seine, la Seine-Inferieure, Seine et Marne, Seine et Oise, les Deux Sevres, la Somme, le Tarn, le Var Vaucleuse, la Vendee, la Vienne, la Haute Vienne, les Vosges, l'Yonne.

Art. II. The limits of the departments may be changed or rectified by the legislative body, but in that case the surface of a department cannot exceed 100 square myriametres (about 625 square leagues.)

Boissey de Anglas.—It might be here a proper opportunity to speak of the colonies and conquered countries. The commission of eleven have charged me to prepare a report on that subject. There is no inconvenience in adjourning that question."

Eschasseriaux and Lahaye spoke on the third article. They opposed the suppression of districts, and were of opinion that would occasion no diminution in the expences, because secondary agents would be necessary.

Berlier supported the plan of the commission. He thought that the greatest attention to œconomy was necessary in the present state of the finances.

Fermont.—" The suppression of districts is infinitely useful. It will occasion that of tribunals of districts, and considerably diminish the number of agents, and of consequence the mass of expences. If any persons are afraid that the departments should form a coalition, we have provided against that danger by interdicting them from any political correspondence. Suppress all the districts, or none; for if you only reduce their number, you will every day receive remonstrances from suppressed districts; you will revive all those animosities and rivalships which are now extinguished."

The convention decreed the adjournment of article III.

20 MESSIDOR, WEDNESDAY, JULY 8.

A member of the committee of public instruction made a report on the national festival, for the 9th Thermidor. The report was terminated by the following plan:

Art. I. The convention shall repair at ten in the morning at the ordinary place of its sittings.

II. The representatives shall be in their complete costume.

III. The national estalishment of music shall perform a symphony analogous to the object of the ceremony.

IV. The convention shall instantly quit the hall, and repair to the Place du Carousal, crossing the great court. A discharge of artillery shall announce its arrival.

V. The president shall there pronounce a speech in the midst of the people assembled. The emblems of tyranny and feudality shall be committed to the flames; and the musicians shall strike up airs and pieces in honour of liberty saved.

VI. The procession shall afterwards repair to the square of the revolution.

VII. A second discharge of artillery shall announce its arrival.

VIII. The decree which enacts that there shall be no more executions on the square of the revolution, shall be proclaimed amid discharges of artillery.

IX. The convention shall return to the hall of its sittings by the great avenue of the Thuilleries.

X. The constituted authorities shall be present in their distinguishing costume.

XI. Detachments of the national guard, and troops of the line, shall be present at the ceremony. And,

XII. The artists are invited to enter into a competition for the embellishments of this festival.—*Ordered to be printed, and adjourned.*

The reporter afterwards read a second plan, which was adopted in the following terms:

Art. I. The square of the revolution shall no longer serve as a place for executions. And,

II. The minutes of the 31st of May, and 1st and 2d of June, shall be replaced by an historical recital of the events of those days, to be drawn up by a commission appointed for that purpose.

Delaunai d'Angers, in the name of the committee of general safety.—"At the instant when the convention is employed in discussing the constitution, at the instant when you have decreed the republic one and indivisible, malevolence is at work. England makes every effort to overturn your labours, and to prevent you from giving to France a government which will constitute her happiness, and the despair of her enemies. England has numerous agents in France, and more especially in Paris; and these are the men who declaim against the wisest measures. Emigrants return with pretended passports from the allied powers; and on one of these spies your committee of general safety calls for your vigilance and severity. On the 12th Messidor (June 30) a foreigner presented himself to the commission of ——— to have his passports examined. One of these was dated at London the 28th of May, the second at Calais the 5th Messidor (June 23.) This traveller called himself a merchant, and said he came to sell stores to the government. His passports were on the eve of being returned to him, when he was recognized as an Irishman, not an American, as he called himself. His name is Majet; he has been a priest, and had a curacy in the Bordelais till the year 1792. At the time of the civil constitution of the clergy he fled to England, where, and in Ireland, he continued until his immediate return to France, under the name of Burrows. Several enigmatical letters found on this Majet, prove that he is in reality no other than one of Pitt's spies. Your committee proposes to you the following measures:

"The convention, on the report of its committee of general safety, decrees, that the person named Majet shall be carried before the military commission, established by the law of the 4th Prairial, there to be tried on the accusation of having acted as a spy for the enemies of the republic."—Decreed.

Pifrret moved that the papers relative to Le Bon should be read, and the answers of the accused taken.—Decreed.

Le Bon said, that the papers he had entrusted to the commmission charged to investigate the papers of Robespierre had been mislaid. Guffroy, a member of that commission, was called on for an explanation. He replied that he had never touched them; and after a discussion of a considerable length, it was decreed that Le Bon should be he heard on each particular fact.

Le Bon—"It is useless for me to call for my papers, and still I cannot be justified without them. I entreat you, citizens, to be persuaded that I act without malice, but I declare that I give up my defence. I have nothing further to say."

Legendre—"I am far from wishing to deprive the accused of the time necessary for his defence. It must be agreed, however, that Le Bon does not defend himself. He does nothing but recriminate. He accuses Guffroy. Call to your recollection that Guffroy denounced Le Bon, at a time when courage was required for such a step; he braved the despotism of the committee of public safety."

Goupilleau de Fontenai—"By refusing to reply, Le Bon seems to accuse the convention.—I do not well understand what are the papers Le Bon calls for, but I do not think them necessary to reply for example to this fact. Le Bon is accused of having referred to his tribunal a man who had been tried and acquitted the evening before. Can you tell us, Le Bon, what paper you need to reply to that?"

Several other members were of the same opinion, and called for the execution of the decree which provides that the reporter shall read the papers, and Le Bon reply to them.

Le Bon—I conceive, citizens, that unfavourable consequences may be drawn from my refusal to defend myself. I should be sorry to cast an odium on the convention: I shall, therefore speak to its honour and to my own; for it is not my life that I defend.

The reporter read the papers relative to the organization of the tribunal of Arras; But the discussion was interrupted by two reports from the committee of public safety.

DESCENT ON BRITTANY.

Fermont, in the name of the committee of public safety.—I come to communicate to you the news we have received from the Western departments, which have been sullied by the enemies of the republic. Ten thousand emigrants, men, women and children, made a descent at Belleisle. They summoned the commandant to surrender to Louis XVIIth, but he replied that he acknowledged only the republic and the convention, and that he should answer such a summons only by cannon. —(Loud applauses.)

This news arrived from L'Orient.— And from the measures we have taken, you may rest assured that no harm will result from the attempts of this horde of emigrants, among whom there are many priests and persons that have been misled, and many sailors made prisoners, and ill-treated at London, and forced to enlist. These will speedily return to the bosom of their country, and to their duty.

In spite of the efforts of the English, we learn that an American laden with 100 tons of rice and corn, got safe into Belleisle-road, and that the place is well provided with provisions. The inhabitants are determined to make the most vigorous resistance: even the women have become soldiers.—(Loud applause, and insertion in the bulletin.)

DEFEAT OF THE CHOUANS.

Doulcet—The following is a letter from the commander in chief of the army on the coast of Cherbourg.

Alencon, 17 Messidor, July 5.

It will, no doubt, be agreeable to the committee to learn, that at the moment when emigrants are attempting to join the rebels in the West, we continue to defeat the Chouans on this side. In the department of Mayenne and Loire, a numerous assemblage has been dispersed. The chief was killed, and in this the victory consists, seeing that it is always one or two men who provoke a whole commune to insurrection. On the side of Chateau-Gontier, several Chouans have been exterminated: they have bequeathed us nineteen horses, four oxen, and a good dinner for our soldiers. Several communes request leave to surrender, and others to unite with us, to put at length a close to this disastrous war. The column of the North advances into Brittany by rapid forced marches.—Applauses.

PARIS, JULY 8.

It is reported, that M. Stofflet, and several other chiefs of the royalists, are on their way to Paris, to take the oath of fidelity to the convention.

JULY 9.

It is possitively said, that the only conditions upon which the republic will give peace to the empire are, that the empire shall cede all the country and towns situated on the left bank of the Rhine, of which, with the exception of Mayence, the republic is already in possession.

Every thing shews that the French are taking the most active measures to follow up their advantages. A great number of troops from their camp of Andernach is descending towards the country of Cleves, to form a camp between Nuis and Creveld, and these are replaced by the army of Luxemburg. Cologne is full of troops. It is said that the French will imediately pass the Rhine in six colums; and it appears that on the side of Dusseldorf they will do something important. On the right bank of the Rhine the apprehensions are very great, particularly since the French have begun again to launch their balloons. The inhabitants fly with their best effects; and it is reported that the imperial army has already sent away its baggage and heavy artillery.

A great number of the garrison of Namur have refused to take their pay in assignats; however, others have blamed the conduct of their comrades.

The representative Lefebre has written a letter to those of that garrison who refused assignats, and required of them to submit to circumstances. Ge-

neral Tourville will take the command of the town of Brussels in the place of Ferrand.

It appears that the hessians and emigrants, whom the English have vomited upon our coasts, occupy the space which extends from the Bay of Audrienne to the peninsula of Quiberon.

It is to be remarked, that whilst the pillagers debarked by favour of an alarm, designedly propagated in the districts on the sea side, the Chouans pillaged a powder magazine at Pont de Bries, six leagues from Brest. They got possession of sixty thousand pounds of powder. Happily this prize was retaken from them.

It is certain that England has taken into its pay the army of Conde. He is to receive 30,000 guineas a month. It is also said, that the court of St. James's has authorised him to increase his army to 100,000 men, and the expence is to be defrayed by Great Britain. The ci-devant Monsieur is to be acknowledged king of France. Such a treaty is very worthy of the Machiavelian policy of Mr. Pitt, who has sworn to make Frenchmen exterminate each other.

It is useless and dangerous to deceive the people relative to the effects of this invasion, which the government ought to have foreseen. Mr. Pitt is not stupid enough to send men to be butchered without any other view. It is already believed that the courts of London, Spain, Naples, and Vienna, will acknowledge Monsieur. Perhaps the empress of Russia will follow their example. All these things, added to the faults which we daily commit here, may produce dangerous consequences, and revive in the bosom of France, a war which may only end with the present generation.

It is certain that the emigrants and chouans are more numerous than was at first thought. It is said that the communication between Brest and Paris is cut off. The greatest dangers attend all who go Brittany. In the environs of Argenton, the Chouans pillage and massacre all the republicans in office. Near Ancenis they have a camp, and they carry death and despair wherever they go.—On the 18th they pillaged the diligence—When they want recruits they summon the young men of the villages near the camp, and direct them to repair to their standards. The following is the copy of a summons: —

On the part of the king and the generals of the royal and catholic armies, it is enjoined to Jean Courgeau, son of Jean Courgeau, to repair to the army in twenty-four hours, under pain of death.

(Signed)

CLAUD DE BALTO, Captain.

24 Feb. 1795, 3d year of the reign of Louis XVII.

Advices from Italy give the most positive assurances of the Spanish fleet, consisting of twenty-five ships of the line, having effected a junction with that of England, and that this combined fleet is in search of the Toulon squadron.

Our government is taking every measure against those who have invaded our teritory. The day before yesterday 1200 men set out from the encampment near Marley on their way for Alencon, where they are to join the Western army. What, however, appears very extraordinary, is, that 6000 men are at the same time to be withdrawn from that army, to reinforce the camp of Marley. 25,000 men have just been detached from the army of the North, to proceed by forced marches to that of the West. 300 Avignon terrorists have been put to death in that city. A few days before this barbarous act, one of the common serjeants of the commission of Orange, who had been condemned to imprisonment, and was exposed on the public square, was taken from the scaffold, and cut in pieces.

DISSERTATION ON FIRST PRINCIPLES OF GOVERNMENT,

BY THOMAS PAINE.

DISTRIBUTED SOME TIME AGO AMONG THE MEMBERS OF THE CONVENTION.

INSTEAD of embarrasing the reader in the outset with the numerous subdivisions, under which different forms of government have been classed, such

as, aristocracy, democracy, oligarchy, monarchy, &c. the better method will be to begin with what may be called primary divisions, or those under which all the several subdivisions will be comprehended.

The primary divisions are but two.

First, government by election and representation. Secondly, Government by hereditary succession.

We are first to examine into the nature of these two primary divisions.—If they are equally right in principle, it is mere matter of opinion which we prefer. If the one be demonstratively better than the other, that difference direct our choice; but if one of them should be so absolutely false as not to have a right to existence, the matter settles itself at once; because a negative proved on one thing, where two only are offered, and one must be accepted, amounts to an affirmative on the other.

The revolutions that are now spreading themselves in the world have their origin in this state of the case, and the present war is a conflict between the representative system, founded on the rights of the people, and the hereditary system, founded in usurpation. As to what are called monarchy, royalty, and aristocracy, they do not, either as things, or as terms, sufficiently describe the hereditary system; they are but secondary things or signs of the hereditary system, and which fall of themselves if that system has not a right to exist. Were there no such terms as monarchy, royalty, and aristocracy, or were other terms substituted in their place, the hereditary system, if it continued, would not be altered thereby. It would be the same system under any other titulary name as it is now.

Having thus opened the case generally, I proceed, in the first place, to examine the hereditary system, because it has the priority in point of time.—The representative system is the invention of the modern world; and that no doubt may arise as to my own opinion, I declare it before-hand, which is—"That there is not a problem in Euclid more mathematically true, than that hereditary government has not a right to exist. When, therefore, we take from any man the exercise of hereditary power, we take away that which he never had a right to possess, and which no law or custom could, or ever can, give him a title to.

The arguments that have hitherto been employed against the hereditary system have been chiefly founded upon the absurdity of it, and its incompetency to the purpose of good government. Nothing can present to our judgment, or to our imagination, a figure of greater absurdity than that of seeing the government of a nation fall, as it frequently does, into the hands of a lad necessarily destitute of experience, and often little better than a fool. It is an insult to every man of years, of character, and of talent, in a country.—The moment we begin to reason upon the hereditary system it falls into derision; let but a single idea begin, and a thousand will soon follow. Insignificance, imbecility, childhood, dotage, want of moral character; in fine, every defect, serious or laughable, unite to hold up the hereditary system as a figure of ridicule. Leaving, however, the folly of the thing to the reflections of the reader, I proceed to the more important part of the question, namely, whether such a system have a right to exist?

To be satisfied of the right of a thing to exist, we must be satisfied that it had a right to begin. If it had not a right to begin, it has not a right to continue. By what right then did the hereditary system begin? Let a man but ask himself this question, and he will find that he cannot satisfy himself with an answer.

The right which any man, or any family had to set itself up at first to govern a nation, and to establish itself hereditarily, was no other than the right which Robespierre had to do the same thing in France. If he had none, they had none. If they had any, he had as much: for it is impossible to discover superiority of right in any family, by virtue of which hereditary government could begin. The Capets, the Guelphs, the Robespierres, the Marats, are all on the same standing as to the question of right. It belongs exclusively to none.

The next point will be, whether hereditary government, once begun, can grow into a right by the influence of time?

This would be supposing an absurdity; for either it is putting time in the place of principle, or making it superior to principle; whereas time has no more connection with, or influence upon principle, than principle

has upon time. The wrong which began a thousand years ago, is as much a wrong as if it began to-day, and the right which originates to-day, is as much a right as if it had the sanction of a thousand years. Time, with respect to principles, is an eternal NOW: it has no operation upon them: it changes nothing of their nature and qualities. But what have we to do with a thousand years. Our life-time is but a short portion of that period, and if we find the wrong in existence as soon as we begin to live, that is the point of time at which it begins to us; and our right to resist it, is the same as if it had never existed before.

As hereditary government could not begin as a natural right in any family, nor derive after its commencement any right from time, we have only to examine whether there exist in a nation a right to set it up and establish it by what is called law, as has been done in England? I answer NO; and that any law or any constitution made for that purpose is an act of treason against the rights of every minor in the nation, at the time it is made, and against the rights of all succeeding generations. I shall speak upon each of those cases. First, of the minor, at the time such law is made. Secondly, of the generations that are to follow.

A nation in a collective sense, comprehends all the individuals of whatever age, from just born to just dying. Of these, one will be minors, the other aged. The average of life is not exactly the same in every climate and country, but in general the minority in years are the majority in numbers, that is, the number of persons under twenty-one years, is greater than the number of persons above that age. This difference in number is not necessary to the establishment of the principle I mean to lay down, but it serves to shew the justice of it more strongly. The principle would be equally good, if the majority in years were also the majority in numbers.

The rights of minors are as sacred as the rights of the aged. The difference is altogether in the different age of the two parties, and nothing in the nature of the rights; the rights are the same rights; and are to be preserved inviolate for the inheritance of the minors when they shall come of age. During the minority of minors their rights are under the sacred guardianship of the aged. The minor cannot surrender them; the guardian cannot dispossess him; consequently, the aged part of a nation, who are the law-makers for the time being, and who, in the march of life, are but a few years a head of those who are yet minors, and to whom they must shortly give place, have not and cannot have the right to make a law to set up and establish hereditary government, or, to speak more distinctly, an hereditary succession of governors; because it is an attempt to deprive every minor in the nation, at the time such a law is made, of his inheritance of rights when he shall come of age, and to subjugate him to a system of government, to which, during his minority, he could neither consent nor object.

If a person, who is a minor at the time such a law is proposed, and happened to have been born a few years sooner, so as to be of the age of twenty-one years at the time of proposing it, his right to have objected against it, to have exposed the injustice and tyrannical principles of it, and to have voted against it, will be admitted on all sides. If therefore, the law opperates to prevent his exercising the same rights after he comes of age as he would have had a right to exercise had he been of age at the time, it is undeniably a law to take away and annul the rights of every person in the nation who shall be a minor at the time of making such a law, and consequently the right to make it cannot exist.

I come now to speak of government by hereditary succession as it applies to succeeding generations; and to shew that in this case, as in the case of minors, there does not exist in a nation a right to set it up.

A nation, though continually existing, is continually in a state of renewal and succession. It is never stationary. Every day produces new births, carries minors forward to maturity, and old persons from the stage. In this ever-running flood of generations there is no part superior in authority to another. Could we conceive an idea of superiority in any, at what point of time, or in what century of the world, are we to fix it? To what cause are we to ascribe it? By what evidence are we to prove it? By what criterion are we to know it? A single reflection will teach us

that our ancestors, like ourselves, were but tenants for life in the great freehold of rights. The fee-absolute was not in them, it is not in us, it belongs to the whole family of man, through all ages. If we think otherwise than this, we think either as slaves or as tyrants. As slaves, if we think that any former generation had a right to bind us; as tyrants, if we think that we have authority to bind the generations that are to follow.

It may not be inapplicable to the subject, to endeavour to define what is to be understood by a generation in the sense the word is here used.

As a natural term its meaning is sufficiently clear. The father, the son, the grandson, are so many distinct generations. But when we speak of a generation as describing the persons in whom legal authority resides, as distinct from another generation of the the same description who are to succeed them, it comprehends all those who are above the age of twenty-one years, at the time we count from; and a generation of this kind will continue in authority between fourteen and twenty-one years, that is, until the number of minors, who shall have arrived at age, shall be greater than the number of persons remaining of the former stock.

For example, if France at this or any other moment, contain twenty-four millions of souls, twelve millions will be males, and twelve females. Of the twelve millions of males, six millions will be of the age of twenty-one years, and six will be under, and the authority to govern will reside in the first six. But every day will make some alteration, and in twenty-one years every one of those minors who survive will have arrived at age, and the greater part of the former stock will be gone; the majority of persons then living, in whom the legal authority resides, will be composed of those who, twenty-one years before, had no legal existence.—Those will be fathers and grandfathers in their turn, and in the next twenty-one years, (or less) another race of minors, arrived at age, will succeed them, and so on.

As this is ever the case, and as every generation is equal in rights to another, it consequently follows, that there cannot be a right in any to establish government by hereditary succession, because it would be supposing itself possessed of a right superior to the rest, namely, that of commanding by its own authority how the world shall be hereafter governed, and who shall govern it. Every age and generation is and must be (as a matter of right) as free to act for itself in all cases, as the age and generation that preceded it. The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies.

And yet the history of the English parliament furnishes an example of this kind; and which merits to be recorded, as being the greatest instance of legislative ignorance and want of principle that is to be found in the history of any country. The case is as follows:

The English parliament of 1688 imported a man and his wife from Holland, William and Mary, and made them king and queen of England. Having done this, the said parliament made a law to convey the government of the country to the heirs of William and Mary, in the following words: "We, the lords spiritual and temporal, and commons, do, in the name of the people of England, most humbly and faithfully submit ourselves, our heirs, and posterities, to William and Mary, their heirs and posterities for ever." And in a subsequent law, as quoted by Edmund Burke, the said parliament, in the name of the people of England, then living, binds the said people, their heirs and posterities, to William and Mary, their heirs and posterities, to the end of time.

It is not sufficient that we laugh at the ignorance of such law-makers, it is necessary that we reprobate their want of principle. The constituent assembly of France (1789) fell into the same vice as the parliament of England had done, and assumed to establish an hereditary succession in the family of the Capets, as an act of the constitution of that year. That every nation, for the time being, has a right to govern itself as it pleases, must always be admitted; but government by hereditary succession is government for another race of people, and not for itself; and as those on whom it is to operate are not yet in existence, or are minors, so neither is the right in existence to set it up for them, and to assume such a right is treason against the right of posterity.

I here close the arguments on the first head, that of government by hereditary succession; and proceed to the second, that of government by election and representation; or, as it may be concisely expressed, representative government in contra-distinction to hereditary government.

Reasoning by exclusion, if hereditary government has not a right to exist, and that it has not is proveable, representative government is admitted of course.

In contemplating government by election and representation, we do not amuse ourselves in enquiring when or how, or by what right it began. Its origin is ever in view. Man is himself the origin and the evidence of the right. It appertains to him in right of his existence, and his person is the title-deed.

The true and only true basis of representative government is equality of rights. Every man has a right to one vote, and no more, in the choice of representatives. The rich have no more right to exclude the poor from the right of voting or of electing and being elected than the poor have to exclude the rich; and wherever it is attempted, or proposed, on either side, it is a question of force, and not of right. Who is he that would exclude another?—That other has a right to exclude him.

That which is now called aristocracy implies an inequality of rights; but who are the persons that have a right to establish this inequality? Will the rich exclude themselves? No! Will the poor exclude themselves? No! By what right then can any be excluded? It would be a question, if any man, or class of men, have a right to exclude themselves; but be this as it may, they cannot have the right to exclude another. The poor will not delegate such a right to the rich, nor the rich to the poor, and to assume it is not only to assume arbitrary power, but to assume a right to commit robbery. Personal rights, of which the right of voting for representatives is one, are a species of property of the most sacred kind; and he that would employ his pecuniary property, or presume upon the influence it gives him, to dispossess or rob another of his property of rights, uses that pecuniary property as he would use firearms, and merits to have it taken from him.

Inequality of rights is created by a combination in one part of the community to exclude another part from its rights. Whenever it be made an article of a constitution, or a law, that the right of voting or of electing and being elected, shall appertain exclusively to persons possessing a certain quantity of property, be it little or much, it is a combination of the persons possessing that quantity, to exclude those who do not possess the same quantity. It is investing themselves with powers as a self-created part of society, to the exclusion of the rest.

It is always to be taken for granted, that those who oppose an equality of rights, never mean the exclusion should take place on themselves; and in this view of the case, pardoning the vanity of the thing, aristocracy is a subject of laughter. This self-soothing vanity is encouraged by another idea not less selfish, which is, that the opposers conceive they are playing a safe game, in which there is a chance to gain and none to lose; that at any rate the doctrine of equality includes them, and that if they cannot get more rights than those whom they oppose and would exclude, they shall not have less. This opinion has already been fatal to thousands who, not contented with equal rights, have sought more till they lost all, and experienced in themselves the degrading inequality they endeavoured to fix upon others.

In any view of the case it is dangerous and impolitic, sometimes ridiculous, and always unjust, to make property the criterion of the right of voting. If the sum, or value of the property upon which the right is to take place be considerable, it will exclude a majority of the people, and unite them in a common interest against the government and against those who support it, and as the power is always with the majority, they can overturn such a government and its supporters whenever they please.

If, in order to avoid this danger, a small quantity of property be fixed, as the criterion of the right, it exhibits liberty in disgrace, by putting it in competition with accident and insignificance. When a brood-mare shall fortunately produce a foal or a mule,

that by being worth the sum in question, shall convey to its owner the right of voting, or by its death take it from him, in whom does the origin of such a right exist? Is it in the man, or in the mule? When we consider how many ways property may be acquired without merit, and lost without a crime, we ought to spurn the idea of making it a criterion of rights.

But the offensive part of the case is, that this exclusion from the right of voting implies a stigma on the moral character of the persons excluded; and this is what no part of the community has a right to pronounce upon another part. No external circumstance can justify it; wealth is no proof of moral character; nor poverty of the want of it. On the contrary, wealth is often the presumptive evidence of dishonesty; and poverty the negative evidence of innocence. If therefore property, whether little or much, be made a criterion, the means by which that property has been acquired, ought to be made a criterion also.

The only ground upon which exclusion from the right of voting is consistent with justice, would be to inflict it as a punishment for a certain time upon those who should propose to take away that right from others. The right of voting for representatives is the primary right by which other rights are protected. To take away this right is to reduce a man to a state of slavery, for slavery consists in being subject to the will of another, and he that has not a vote in the election of representatives, is in this case. The proposal therefore to disfranchise any class of men is as criminal as the proposal to take away property. When we speak of right, we ought always to unite with it the idea of duties: right becomes duties by reciprocity. The right which I enjoy becomes my duty to guarantee it to another, and he to me; and those who violate the duty justly incur a forfeiture of the right.

In a political view of the case, the strength and permanent security of government is in proportion to the number of people interested in supporting it. The true policy therefore is to interest the whole by an equality of rights, for the danger arises from exclusions. It is possible to exclude men from the right of voting, but it is impossible to exclude them from the right of rebelling against that exclusion; and when all other rights are taken away, the right of rebellion is made perfect.

While men could be persuaded they had no rights, or that rights appertained only to a certain class of men, or that government was a thing existing in right of itself, it was not difficult to govern them authoritatively. The ignorance in which they were held, and the superstition in which they were instructed, furnished the means of doing it; but when the ignorance is gone, and the superstition with it; when they perceive the imposition that has been acted upon them; when they reflect that the cultivator and the manufacturer are the primary means of all the wealth that exists in the world, beyond what nature spontaneously produces; when they begin to feel their consequence by their usefulness, and their right as members of society, it is then no longer possible to govern them as before. The fraud once detected cannot be re-acted. To attempt it is to provoke derision, or invite destruction.

That property will ever be unequal is certain. Industry, superiority of talents, dexterity of management, extreme frugality, fortunate opportunities, or the opposite, or the mean of those things, will ever produce that effect without having recourse to the harsh ill-sounding names of avarice and oppression; and beside this, there are some men who, though they do not despise wealth, will not stoop to the drudgery of the means of acquiring it, nor will be troubled with the care of it, beyond their wants or their independence; whilst in others there is an avidity to obtain it by every means not punishable; it makes the sole business of their lives, and they follow it as a religion. All that is required with respect to property is to obtain it honestly, and not employ it criminally; but it is always criminally employed, when it is made a criterion for exclusive rights.

In institutions that are purely pecuniary, such as that of a bank or a commercial company, the rights of the members composing that company are wholly created by the property they invest therein; and no other rights are represented in the government of that

company, than what arise out of that property; neither has that government cognizance of any thing but property.

But the case is totally different with respect to the institution of civil government, organized on the system of representation. Such a government has cognizance of every thing and of every man as a member of the national society, whether he has property or not; and therefore the principle requires that every man and every kind of right be represented, of which the right to acquire and to hold property is but one, and that not of the most essential kind. The protection of a man's person is more sacred than the protection of property; and besides this, the faculty of performing any kind of work or service by which he acquires a livelihood, or maintains his family, is of the nature of property. It is property to him; he has acquired it; and it is as much the object of his protection, as exterior property, possessed without that faculty, can be the object of protection to another person.

I have always believed that the best security for property, be it much or little, is to remove from every part of the community, as far as can possibly be done, every cause of complaint, and every motive to violence; and this can only be done by an equality of rights. When rights are secure, property is secure in consequence. But when property is made a pretence for unequal or exclusive rights, it weakens the right to hold the property, and provokes indignation and tumult; for it is unnatural to believe that property can be secure under the guarantee of a society injured in its rights by the influence of that property.

Next to the injustice and ill-policy of making property a pretence for exclusive rights, is the unaccountable absurdity of giving to mere sound the idea of property, and annexing to it certain rights; for what else is a title but sound. Nature is often giving to the world some extraordinary men who arrive at fame by merit and universal consent, such as Aristotle, Socrates, Plato, &c. These were truly great or noble. But when government sets up a manufactory of nobles, it is as absurd as if she undertook to manufacture wise men. Her nobles are all counterfeits.

This wax-work order has assumed the name of aristocracy; and the disgrace of it would be lessened if it could be considered only as childish imbecility. We pardon foppery because of its insignificance; and on the same ground we might pardon the foppery of titles. But the origin of aristocracy was worse than foppery: it was robbery. The first aristocrats in all countries were brigands; those of later times, sycophants.

It is very well known that in England (and the same will be found in other countries) the great landed estates now held in descent were plundered from the quiet inhabitants at the conquest. The possibility did not exist of acquiring such estates honestly. If it be asked how they could have been acquired, no answer but that of robbery can be given. That they were not acquired by trade, by commerce, by manufactures, by agriculture, or by any reputable employment, is certain. How then were they acquired? Blush, aristocracy, to hear your origin, for your progenitors were thieves. They were the Robespierres and the Jacobins of that day. When they had committed the robbery, they endeavoured to lose the disgrace of it, by sinking their real names under fictious ones, which they called titles. It is ever the practice of felons to act in this manner: they never pass by their real names.

But besides the criminality of the origin of aristocracy, it has an injurious effect on the moral and physical character of man. Like slavery, it debilitates the human faculties; for as the mind, bowed down by slavery, loses in silence its elastic powers, so, in the contrary extreme, when it is buoyed up by folly, it becomes incapable of exerting them, and dwindles into imbecility. It is impossible that a mind employed upon ribbands and titles can ever be great. The childishness of the objects consumes the man.

It is at all times necessary, and more particularly so during the progess of a revolution, and until right ideas confirm themselves by habit, that we frequently refresh our patriotism by reference to first principles. It is by tracing things to their origin that we learn to understand them; and it is by keeping that line and that origin always in view that we never forget them.

An enquiry into the origin of rights will demonstrate to us, that rights are not gifts from one man to another, nor from one class of men to another; for who is he who could be the first giver, or by what principle, or on what authority could he possess the right of giving? A declaration of rights is not a creation of them, nor a donation of them. It is a manifest of the principle by which they exist, followed by a detail of what the rights are; for every civil right has a natural right for its foundation, and it includes the principle of a reciprocal guarantee of those rights from man to man. As therefore it is impossible to discover any origin of rights otherwise than in the origin of man, it consequently follows, that rights appertain to man in right of his existence only, and must therefore be equal to every man. The principle of an equality of rights is clear and simple; every man can understand it, and it is by understanding his rights that he learns his duties; for where the rights of men are equal, every man must finally see the necessity of protecting the rights of others as the most effectual security for his own. But if in the formation of a constitution we depart from the principle of equal rights, or attempt any modification of it, we plunge into a labyrinth of difficulties from which there is no way out but by retreating. Where are we to stop? Or by what principle are we to find out the point to stop at, that shall discriminate between men of the same country, part of whom shall be free, and the rest not? If property is to be made the criterion, it is a total departure from every moral principle of liberty, because it is attaching rights to mere matter, and making man the agent of that matter. It is, moreover, holding up property as an apple of discord, and not only exciting, but justifying war against it; for I maintain the principle, that when property is used as an instrument to take away the rights of those who may happen not to possess property, it is used to an unlawful purpose, as fire-arms would be in a similar case.

In a state of nature all men are equal in rights, but they are not equal in power; the weak cannot protect himself against the strong. This being the case, the institution of civil society is for the purpose of making an equalization of powers that shall be parallel to, and a guarantee of the equality of rights. The laws of a country when properly constructed apply to this purpose. Every man takes the arm of the law for his protection as more effectual than his own; and therefore every man has an equal right in the formation of the government and of the laws by which he is to be governed and judged. In extensive countries and societies, such as America and France, this right, in the individual can only be exercised by delegation, that is, by election and representation; and hence it is that the institution of representative government arises.

As to that part of government that is called the executive, it is necessary in the first place to fix a precise meaning to the word.

There are but two divisions into which power can be arranged: first, that of willing or decreeing the laws; secondly, that of executing, or putting them in practice. The former corresponds to the intellectual faculties of the human mind, which reasons and determines what shall be done; the second, to the mechanical powers of the human body, that puts that determination into practice. If the former decides, and the latter does not perform, it is a state of imbecility; and if the latter acts without the predetermination of the former, it is a state of lunacy. The executive department therefore is official, and is subordinate to the legislative, as the body is to the mind in a state of health; for it is impossible to conceive the idea of two sovereignties, a sovereignty to will, and a sovereignty to act. The executive is not invested with the power of deliberating whether it shall act or not; it has no discretionary authority in the case; for it can act no other thing than what the laws decree, and it is obliged to act conformably thereto; and in this view of the case, the executive is made up of all the official departments that execute the laws, of which that which is called the judiciary is the chief.

But mankind have conceived an idea that some kind of authority is necessary to superintend the execution of the laws, and to see that they are faithfully performed; and it is by confounding this superintending authority with the official execution, that we get embar-

rassed about the term *executive power.* All the parts in the governments of the united states of America that are called the executive, are no other than authorities to superintend the execution of the laws; and they are so far independent of the legislative, that they know the legislative only through the laws, and cannot be controuled or directed by it through any other medium.

In what manner this superintending authority shall be appointed or composed, is a matter that falls within the province of opinion. Some may prefer one method, and some another; and in all cases where opinion only, and not principle, is concerned, the majority of opinions forms the rule for all. There are, however, some things deducible from reason, and evinced by experience, that serve to guide our decision upon the case. The one is, never to invest any individual with extraordinary power; for besides his being tempted to misuse it, it will excite contention and commotion in the nation for the office. Secondly, never to invest power long in the hands of any number of individuals. The inconveniences that may be supposed to accompany frequent changes are less to be feared, than the danger that arises from long continuance.

THOMAS PAINE.

IN our fourth volume, page 207, we gave an account of the assassination of Mr. Errington, by Miss Broderick. We now present our readers with the particulars of the trial of this unfortunate lady, which took place at the last Chelmsford assizes.

INTERESTING TRIAL OF MISS ANN BRODERICK,

Charged with the wilful murder of George Errington, Esq. at Gray's Thurrock, in the County of Essex.

Friday, July 17th, at six o'clock, Ann Broderick was conveyed from the gaol, in a chaise, to a room in the shire hall; and about ten minutes before the lord chief baron Macdonald, the sheriffs, and magistrates, appeared on the bench, she was conveyed into the bail dock in the criminal court, attended by three ladies and her apothecary; she was dressed in mourning, without powder; and after the first perturbations were over, occasioned by the concourse of surrounding spectators, she sat down on a chair, prepared for her, and was tolerably composed, except at intervals, when she discovered violent agitations, as her mind became affected by various objects and circumstances. When the indictment was reading, she paid a marked attention to it; and on the words, "that on the right breast of the said G. Errington she did wilfully and feloniously inflict one mortal wound, &c." she exclaimed, "Oh, my great God!" and burst into a torrent of tears.

The prosecution for the crown was opened by Mr. Garrow, who demonstrated the painful execution of this office by the humane and affecting exordium with which he addressed the jury, preparatory to the statement of the evidence he was instructed to adduce. He thought it his duty, however, to inform them what his learned brethren, who had the conduct of the defence of the unhappy female at the bar, were precluded by the rules of law from stating, viz. that the defence intended to be set up was unquestionably of great importance, requiring their most serious deliberation; it was no less than the plea of lunacy; and therefore it became their peculiar duty, as jurymen, before they visited a deed with death, to be perfectly satisfied in their own minds that the prisoner committing it was in the possesssion of her reasoning faculties; otherwise, it must have been the insanity, and not the moral agent, which perpetrated the bloody act. His own feelings, and those under whose instructions he now acted, pressed upon him to declare, that the plea might appear, on investigation, to have considerable weight. He had heard, that the female from whom the unhappy prisoner had derived her existence had been greatly deranged in her mind; that a sister had also fallen a sacrifice to the same dreadful malady; and that even

the unhappy object herself, then at the bar, had also discovered many symptoms of similar phrenzy. These were circumstances, however, that they would most scrupulously enquire into, for were he preposterously to argue, that wilful murder could arise out of any other than a sane mind, he must, doubtless, be subject to the charge of lunacy himself. After pressing this important proposition with equal ingenuity and feeling, he next stated the connection which had existed between his deceased friend and the accomplished female at the bar, from 1782 to 1794; said that Mr. Errington's female attachments had been the peculiar misfortune of his earlier days; this was a fact of too much notoriety to require any explanation at this moment After his deliverance from this misery and disgrace by a legal divorce, he formed an attachment with the piteous object before them, whose accomplishments made it no matter of surprize that it should have been continued for the space of twelve years; during which time, he would fairly state that her conduct had been marked by a rectitude which gave it a considerable degree of sanction. Among the vicissitudes of the world it happened, however, that Mr. E. had transferred his affection to the lady who is now his mournful relict; whom, however, he should not call in testimony on this afflicting occasion, unless her appearance were pressed by the learned gentlemen on the other side.

Mr. Garrow then stated the nature and weight of the evidence he was instructed to adduce against the prisoner; but first, he said, he felt it his duty to inform the jury, that it was not upon an effervescence of jealousy alone that they could acquit the prisoner; but that such acquittal could only conscientiously arise out of a full conviction in their own minds of such a mental derangement in the prisoner as rendered her incapable of forming a rational distinction between moral good and evil! He concluded a most impressive and elegant speech, by invoking the Almighty Ruler of all events to guide them in their decision on the life of a fellow creature, so that they might with satisfaction reflect upon their verdict to the end of their days!

EVIDENCE CALLED.

George Bailey sworn—said he was servant to the deceased Mr. Errington; saw Miss Broderick come into the kitchen on the 13th of May last: did not know her: she asked whether Mr. E. was at home? He answered, yes; and desired the gardener to shew the lady into the parlour, while he put on his shoes, and went up to inform his master, then in the drawing-room; that he saw Mrs. E. and the lady meet at the parlour door. [Here Miss Broderick shook her head, and groaned deeply.] He perceived that the ladies were strangers to each other. Miss B. asked Mrs. E. if Mr. E. was to be spoken with? She answered, "Yes, ma'am; pray walk up stairs." His mistress went up first; he returned to the kitchen, and in the space of a minute he heard the report of a pistol, the shrieks of his mistress, and also his master cry out and groan! He ran upstairs, and passing some workmen, desired them to go with him, as something dreadful had happened: on entering the drawing-room, he beheld his master all over blood, and leaning, with his left hand on his right breast, who exclaimed, "Oh God! I am shot! I am murdered!" Mrs E. instantly ordered him to take that woman into custody, for she had murdered her husband; on this Miss B. threw a pistol out of her left hand on the carpet, and laughed, crying out, "Here, take me! hang me, and do what you will with me; I don't care now!" He told the workmen to take care of the prisoner till he came back: he then ran to the stable, took a horse, and rode to Mr. Childers, the surgeon, about a mile off; desired him to mount the horse, and make haste to his master, who was shot; he followed soon after with two constables, when he found the doctor and Mrs. E. with his master. Miss B. he saw afterwards in the parlour below: that on seeing her right hand in her pocket, he told the constable he thought she had another pistol in her pocket; that the constable went behind her, and took hold of both her arms, when she said, "What are you going to do?" He replied, "Not to hurt you in the least, ma'am, but it is our duty to put these handcuffs upon you;" which they did. She rejoined, "Let me put my hand

in my pocket first." The constable answered, "No!" She said, "I want to give you something." "Some other time," replied the other. The witness then asked her whether she had not another pistol. She answered, "I have!" and in a lower tone of voice said to him, "This I intended for myself!" He then sent for a woman servant, and desired her to search her; which she did, and immediately brought another pistol from her pocket. [The pistols were here produced, and sworn to be the same.]

Lord chief baron.—You left the prisoner in the parlour when you went for the surgeon?

Evidence—No, my lord; I left her on the stairs.

John Thomlinson.—He was gardener to Mr. E. in the month of May. He shewed Miss B. into the parlour, as before stated. The next time he saw her was in the drawing-room, with his master bloody, where he ran on hearing his mistress scream. He afterwards saw Miss B. in the parlour, in the custody of the constables.

Mr. Shepherd, for the prisoner.—Did you stay with her in the parlour? A. Yes, some time.

Chief baron—Was the prisoner ever alone in the parlour? A. No; somebody was always with her.

Mr. Childers, surgeon, was called in to Mr. E. as before stated; found him bleeding much, and very faint, from a perforation in the right breast, apparently made by a pistol-ball: he examined the wound, and traced the course of the ball about an inch below the perforation in a downward direction; the wound being small, it gave the deceased much pain. He went down, at Mr. E's. request, to the prisoner below stairs, and asked her "if she would have the goodness to inform him in what position she was when she fired the pistol?" She replied, "I was standing up, and Mr. E. was sitting down. I believe I held the pistol in my left hand; but I was so much agitated, that I cannot perfectly recollect!" The position, he said, thus stated, corresponded with the nature of the wound. He attended Mr. E. till the 19th, when he died; and was convinced in his own mind, that this wound had been the cause of his death.

Mr. Miller, another surgeon, confirmed the statement, that the wound had been the occasion of his death.

Joseph Griggs, a constable, corroborated a part of the statement of the first witness: found the prisoner sitting in the parlour with her hands clasped, and a round table with some water before her; he secured and put the handcuffs upon her, and saw the woman servant take the pistol from her pocket.

John Eves lived at the Bull Inn, Whitechapel. Miss B. came to him about the 11th of May, and gave him a letter to carry to Mr E. he delivered it to him on the 13th, at Grays, who asked him whether it did not come from Miss B.? He replied, it did. Mr. E. then bade him take it back, as he should see her at the fair: he took the letter to her again unopened the next day.

William Bush lived also at the Bull at Whitechapel: he had seen the prisoner once before, when she called at his master's, who ordered him to put a horse in a whiskey, and drive her after the South-end coach, which he did: he requested her to get her money ready for the turnpike, to save time; she did not do it immediately; but just before she came to the gate she pulled out a handfull of silver and halfpence, and said she had not change enough to pay the turnpike.

The gate-keeper demanded fourpence; she gave him three-pence. "I tell you, four-pence," said the keeper. She gave the other penny, and then bade the evidence drive as fast as he could; soon after said he did not drive half fast enough, though he was going twelve miles per hour; and then in two or three minutes exclaimed, "For God's sake don't drive so fast; for if you do I must get out; I can't bear it;" and almost immediately after this, when he was going a swinging trot, she said, "God bless my soul, how slow we go! I have rode 800 miles in a week on the same horse!" In short, she was so inconsistent and wild in all she said, that after that he had paid no attention to many other similar remarks about her travelling in coaches, chaises, and waggons, deeming her insane, and never saw her from that to the present time. On his return, he told his master all that had passed, and that he was glad to get rid of his crazy passenger.

Z. Button, esq. the justice who committed her, was here called upon to produce the letter which had been returned unopened: the prisoner, he said, gave it to him when she was under examination; he cautioned her against delivering up a paper that might materially affect herself; to which she replied, "Oh take it! take it!" which he accordingly did: it ran thus—

"Dear Sir,

"As I intend going to South-end on Wednesday, I wish to speak a few words to you on my money-affairs, as I have received no answer to the letter from Mr. —— [Mr. E's solicitor] I fear you are deceived in the person you entrust. I wish you would meet me at the Dog and Patridge at Stifford, as I have not had the money you promised I should receive."

[*Here the evidence for the crown was closed.*]

FOR THE PRISONER.

Ab. Morris had known the prisoner many years; he married her sister; knew their mother fifteen years, who, during that time, had been deemed insane. She used to run after him constantly in the market-place, and torment him by her wild manners. Another sister of the prisoner, a Mrs. Patterson, he said was likewise deranged. She used to absent herself from his house, and then return in different cloaths; she became at last so bad, that he was obliged to tie her in her bed with cords; but, on the neighbourhood disliking to hear her cries, he sent her to Mr. Harrison's private madhouse at Hoxton. She was afterwards placed in Bedlam for six weeks. Two years after she was removed to Stepney workhouse; from whence she returned to him almost naked; but she was sent back by an order from the lord-mayor as a lunatic, and soon after died.—He was delicately asked by Mr. Garrow, whether he had any further proofs of insanity to relate in his wife's family? He replied, "I hope his lordship will excuse me from stating them."

Ann Minns lives near Kennington, and was for two years chair-woman to the prisoner: found her always very odd in her manner: in the hard frost last Christmas she made her scour the door-steps; when no other person did it, and threw a saucepan of boiling water over her, because she had not made them as clean as in summer; she came and called her out of her own bed at home one night, to make her come and remove hers down stairs: in short, she did so many strange things, she did not like to chair for her any longer, particularly after she had informed her the deponent, that she meant to make away with herself, and asked her—"what death would be best, and whether she did not think drowning would be the pleasantest?" After which she was afraid to live with her, expecting every morning she went to light her fire that she should find her dead!

Elizabeth Honeyball, a young girl who lived with the prisoner, called, but could not then speak for her tears.

Mary Simpson had known the prisoner two years; had, during the whole of that time, observed a strange wildness in her conduct; saw her repeatedly on the public road, near Kennington, marching with her arms folded like a soldier. Most people used to laugh at her as they passed, and some pitied her, and asked "what was the matter with that poor lady?" The deponent told her of it, when she recollected herself for a moment, and would drop her arms. She came to the deponent one day, and asked how her child did? She had known before that I, the deponent, had lost it, for she had seen it in the coffin. Deponent told her she had no child.—"Very well," says she, "'twas a girl, and there are too many left behind!" This evidence recited various other frantic circumstances about her wanting to purchase of her some large flower-pots to put weight in them, in order to push upon men, and kill them as they approached to break into her chamber windows, "as she had no male creatures in her house"—Also a wild solicitude about matching some china cups at any expence, "as they were given to her by the person of her first attachment, though she was not happy enough to succeed in it; adding, there are many born to be unhappy, and I am one!"—From her whole conduct, she had every reason to believe that she was not in her right senses.

Elizabeth Honeyball recalled.—She lived in the service of the prisoner about six weeks before she was in custody, always slept with her mistress who used to get up in the middle of the

night, run down stairs, and ring all the bells in the house; one night in particular, she threw herself on the floor, and rolled about in great distress.—This was the night after she had been to take a place in the coach to go to Gray's; she then held a pistol to the head of her, the deponent, and said she would shoot her: she always carried pistols with her, and let one off every night out of her window—told her "that her husband used to go amongst the hot cannon balls, and got killed."—One evening the prisoner went down, and slammed the door, pretending she was gone out; but soon after she heard her throwing the tongs and poker about her bed-room, which she had locked within side. It was on the same Monday she went with her to take a place in the coach; on their return, they walked a little way, when her mistress called a coach, in which they both went; then she began to sing much louder than she had ever heard her, and sung all the way home. On getting home, she sat down and cried; on being asked what was the matter, she answered, "Oh! I am as happy as a queen." The evidence always thought her an odd lady, but did not at first imagine that she was mad.

—— Griffin said he was a baker, and a short time since lived near Kennington, and served the prisoner with bread; had for five or six months remarked her very odd behaviour to several neighbours before the unfortunate circumstance: that she used to take of him a threepenny loaf, and frequently give him a shilling for it, and attempt to shut the door, when he said "Stop, ma'am, you must have your change;"—she would reply, "What change? is not that right? well give me what you please, I don't know what it is." Once she gave him half-a-crown in the like manner, and on his making the same observation, she attempted to shut the door in great agitation, and would not take the change, saying "Lord bless me! what have I given you, half-a-crown? well then that's right, you have no other demand." At another time she brought the flour tub to him, and said "You must let me have some flour," when the tub was as full as it could hold.—Having often noticed these curious fancies to some gentlemen living near him, when they heard of the poor lady being apprehended, they agreed that, though he, the deponent had left the place, it was right he should be sent for, in order to appear on her trial, which was done. He also stated her flighty singing, and marching like a soldier, so that every body in the public road remarked it; and that he has seen her often come up to his wife, when he was by, and talk to her in a manner which convinced him that she was deranged in her mind. He concluded by observing, that "she always kept herself to herself, and on that account was admired by all the inhabitants around!"

Here the evidence for the prisoner closed.

The Lord Chief Baron, before he summed up the evidence, called the attention of the jury to the particular plea of insanity, on which the defence of the prisoner had been rested; no denial having been set up against the perpetration of the deed, of which, indeed, there had been given the fullest and clearest evidence. The law certainly required that the will should accompany the act, to constitute a felonious murder. The defence in the present case was that, the prisoner was incapable of lending her will to the perpetration of the crime with which she stands charged. His lordship here entered into an illustrative detail in support of this general proposition: he stated, that the broodings of jealousy or revenge, however, were not to be admitted as conclusions of mental derangement, or there would be an excuse ready for every crime; but it must appear to be that habitual infirmity which deprives the unfortunate of the power over his own conduct. The true and only line, therefore, for them, as a jury to keep in view, was, whether the present act of violence arose out of the indulgence of any particular unlawful passion, and under the influence of that due portion of reason? If it please the Divine Providence to deprive any of his creatures of understanding, he would not impute that to them as an offence—if perfection will not do it, imperfection therefore ought not! His Lordship then recapitulated and remarked upon the evidence with great discernment. He said, the unhappy woman laughing in the midst of an act of horror, bore a strong appearance of mental derangement; indeed this was often made a test of madness in the finest

wrought theatrical representations. The letter which had been given to the magistrate, and the receipt of which he had so humanely and wisely expostulated against, did not convey any idea of insanity; though the chain of such very tumultuous circumstances for so long an antecedent period as six months, certainly did carry with them strong symptoms that the persons acting under them were unlike to rational persons. The family derangements which had been stated were not of themselves sufficient evidence; but were certainly a strong ground-work, on which to build other circumstances more immediately applicable to the individual herself.

On the whole, if the jury thought the latent seeds of derangement, after a convulsive struggle of six months, had been called forth on this horrible occasion, so as to overwhelm the senses of the unhappy prisoner, they were bound in conscience to acquit her. If, on the other hand, they believed that it was only the preparatory pangs of a mind intent on gratifying its revenge by the death of its object, they must find her guilty; but they scarcely need be told, that, should a doubt remain on their minds, common charity required that the balance should turn in the prisoner's favour.

The jury consulted about two minutes, and then gave their verdict—not guilty—to the general satisfaction of the whole court.

Mr. Garrow and Mr. Contz were counsel for the crown; Mr. Shepherd for the prisoner.

Miss Broderick sat during the awful suspense in more composure than she had done during the whole trial; told her attendants that she had derived that consolation from the conduct of all around her, which made her fate a matter of perfect indifference to her. When the verdict was delivered she was lifted from her seat, and with the most becoming demeanour, curtsied to the court and jury.

The chief baron ordered her to be taken care of, until some arrangement could be formed for her security.

Miss Broderick has not derived any great succour from her acquittal:—she wears the miniature picture of Mr. Errington at her breast, on which she often gazes with the tenderest affection. His family have returned her picture (which they found) by the same painter, at which she expressed much surprize and concern:—they have, however, behaved towards her, under her perilous situation, with the most laudable humanity. During her trial, she jumped up with a view of refuting the insinuation that she went down with an intent to shoot Mr. Errington; but her tears forbade her utterance. —She has since said, "that she only wished to state that she had engaged a bed at the dog and partridge, at Stifford, and prevailed upon the landlady's daughter to sleep with her that night, after her return from Mr. Errington's."—She was exceedingly averse to the proposal of her friends to plead her lunacy in palliation of her crime, and requested the chaplain of the prison to prevent their making any defence for her at all!—This unfortunate female, though rather short in stature, has an interesting countenance, and is elegant and engaging in her manners: she is very fair, has light blue eyes, with brown hair of the lightest colour; she is somewhat more than thirty years of age!

The judges, on leaving the town, after the assizes were over, directed that Miss B. should be examined before two magistrates, that she might be safely removed, under their order, to the place of her settlement, with a particular recommendation annexed thereto, that she might be taken all possible care of.

THE public attention being of late greatly engaged on the expedition to the coast of Brittany, and on the success of the party which espouses the royal cause in the neighbouring provinces, makes us anxious to present our readers with every paper on the subject that bears the appearance of authenticity. As such we give the public the following proclamations or manifestoes, the one from *Charette*, a well-known leader of the Vendeans, the other from *De Puisaye*, commander in chief of the emigrants.

It is impossible for us to pass over in silence the conduct of *Charette*, who regardless

of the most solemn treaties voluntarily entered into by him with the convention, and in violation of the most awful asseveration that he would preserve a future amity towards them, has openly stept forward, and reassumed his command over a set of deluded wretches, for the avowed purpose of opposing the republican cause.—From such a man what stability of service can our government expect?—His reasons for such an infringement of principle and public faith, are in our opinion contemptibly puerile, and only befitting the nature of the man by whom they are advanced.

The proclamation by *De Puisaye* we are persuaded cannot answer the purposes intended. At best it can only serve to give a temporary fillup to the spirits of those who are employed in an attempt that will probably be productive of nothing else but discomfitures, and the useless destruction of our fellow creatures.

MANIFESTO OF GENERAL CHARETTE.

The moment is come to tear aside the veil which has but too long concealed the true and secret causes of the treaty of peace of La Vendée; and to acquaint the brave Vendeans, all good Frenchmen, and all Europe, of the motives by which we were led to this apparent conciliation with the self-named French republic. After a two year's cruel and bloody civil war, carried on in a manner unparralleled in the annals even of the most barbarous ages, loaded, as it were, with the whole weight of the misfortunes of the people, whose support and chiefs we were, we could not but wish to obtain for them, if not a definite and solid peace, which was impossible, at least a short relief from the disasters we had witnessed Our sensibility and humanity led us, even against the wish of the people, unfortunate, yet proud and prodigal of their blood, to procure for them a repose which they were unwilling to accept.

Deputies of the convention were sent to us. Canclaux, the commanding general of the republican armies, and Ruelle, representative of the people, presented themselves to us with a semblance of good faith, sensibility, and humanity, and made proposals of peace. They were informed of the causes and motives which induced us to arm; they knew our constant love for the unfortunate offspring of our kings, and our inviolable attachment for the religion of our forefathers. They decoyed us into several secret conferences. "Your wishes shall be fulfilled, they said; we agree with you in opinion; our dearest hopes are the same as yours; no longer separate yourselves from us, but exert yourselves in concert with us, and within six months at most all your wishes shall be granted, and Louis XVII be seated on the throne. We will cause all the Jacobins and Maratists to be arrested and removed, and monarchy shall be established on the ruins of popular anarchy. To the glory already acquired, you will add the distinguished honour of having, in a direct and active manner, co-operated to bring about this fortunate change, and to restore the happiness of your country, as well as of all the other provinces of France."

In order to evince the sincerity of their intention, other representatives, Morisson, Gaudin, Delaunay, and others, assured us, in several conferences, at which we thought ourselves obliged to assist, that the whole convention was of the same sentiments, but that prudence made it necessary to act with circumspection, and not to fly in the face of the public opinion, but by little and little, to prepare and bring on the new order of things.

"The more to convince you of the sincerity of our professions, (they observed), we allow you to retain your arms. No kind of hostilities shall be exercised against you and your country. In appearance, you will new organize your military force, under the name of territorial guards; but, in fact, it will remain the same. We promise even to deliver into your hands, some of the criminals who have pillaged and desolated your unfortunate country; and supply you with powder and all other ammunition you may want, &c.

Joy began now to revive in our bosom. We felt that we were Frenchmen, and conceived the blissful mo-

ment to draw nigh, when tranquility should be fully restored to this unfortunate country, part of which had yet been spared from the flames and the assasins dagger: and we agreed, although with the utmost reluctance, to those external demonstrations which were demanded of us: we overcame our reluctance, and appeased the cravings of revenge. From the same motives, the chiefs of the insurgents of Britanny, Anjou, Normandy, Peche, Maine, and other provinces known by the name of Chouans, followed our example, and made the same sacrifices to their self-love and glory.

The mild, pacific, and kind treatment the Vendeans met with on the part of the republicans, increased our hopes. The former thought themselves happy in finding the cities open to them to procure provisions, which the unfortunate inhabitants of those towns stood in need of. Our credulity was still more heightened by Canclaux, Ruelle, Morisson, and Guadin, sending us the promised powder and ammunition, and delivering to us, with the utmost care and circumspection, such soldiers as they thought fit to give up as victims to the just resentment of a people enraged by their excesses.

But how great was our astonishment, or rather our indignation, when we found our confidence abused, and our expectations frustrated by those faithless and shuffling intrigues, who are ever guided by the circumstances of the moment; when we saw the chiefs of the Chouans arrested, imprisoned, and surrendered to sanguinary tribunals; —when we saw the chiefs of the Vendeans treated in the same manner, some of our infantry and cavalry disarmed, our provisions carried off, all sorts of hostilities committed, and all the atrocities and horrors of civil war renewed; lastly, when we learnt, "that the ill-fated son of our unfortunate monarch, our king, had been cowardly poisoned by that impious and barbarous sect, which, far from being destroyed, still desolates our unfortunate kingdom."

What was it then our duty to do? —That which honour and our inviolable attachment to the throne and the altar dictated; that which the people themselves, more enraged than ever, demanded and desired. We have taken up arms again, and renewed the inviolable oath never to lay them down, until the heir apparent to the crown shall be seated on the throne of his forefathers, and the Roman catholic religion acknowledged and faithfully respected.

Frenchmen, ye that still deserve this name, judge and decide on our sentiments and conduct: join, or rather imitate us. Rise at last from that dastardly stupor, and indifference wherein you have so long languished. Rally around the common centre of the honour and glory of Frenchmen; cease to be in appearance the guilty associates of your enemies, and to serve your executioners. Let experience tutor you; and prefer a glorious death, to a life branded with crimes.

At our camp near Beleville, June 26, 1795.

(Signed) CHARETTE.

PROCLAMATION OF THE ROYALISTS.

JOSEPH, COUNT DE PUISAYE, *lieutenant-general of the king's armies, commander in chief of the catholic and royal army of Britanny, authorized by his royal highness count D'Artois, lieutenant general of the kingdom, in virtue of the powers given him by Monsieur Regent of France, at the head-quarters of Carnac, the 30th of June, 1795.*

FRENCHMEN,

IN the name of God, of your king, and of your lawful princes, we come to you with words of peace. Let the voice of hatred, revenge, and mistrust be heard no longer! Let every odious party denunciation, that rallying signal of the tormentors of our ill-fated country, be destroyed for ever! Listen to us without prepossession, as we shall speak to you without disguise, and let Europe hear and judge us!

If it be true, that from one corner of the kingdom to the other, a general out-cry has been heard against that paracide faction, which for these five years past has caused all your misfortunes; if it be true, that at length a spirit of moderation and justice guides those who affect to represent you, and if this moderation is not merely a specious cloak for the secret design of displacing rivals to reign in their stead, and to plunge you again into the convulsions of faction, and the horrors of anarchy, why are those of your fellow-citizens, who are forced to fly from that tyranny which your pretended representatives

affect to disapprove, not recalled into the bosom of their families, and re-established in the possession of their rights and estates? Why is the interesting and august offspring of so many kings, the son of that unfortunate monarch, who thinking he threw himself on the love of his people, precipitated himself into the arms of his assassins, not proclaimed king, and restored to the throne of his forefathers, surrounded by those guardians and councils that nature and law point out for him? Why is that holy religion, which for fourteen centuries past, has rendered happy and comforted the people, not restored to the full liberty of worship, and the public profession of its ministers? In fine, after having banished the miscreants who desolated France, why do they seemingly endeavour to preserve their work, and to reap the fruits of their crimes?

We also are desirous of peace; but what name deserves a peace, which he who signs it has no power to guarantee, and the stability and duration of which depend on the triumph and momentary power of a faction? Have you not marked the rapid succession of those ephemeric tyrants, who having attained the pinnacle of power, brought one another to the scaffold, along with the peaceful citizen, who scarce acquainted with the name of those he had to obey, was the next day sent to the guillotine for having observed the decree of the day before. We also love moderation and justice; but the people are no longer to be deluded by empty sounds. Tutored by the sad experience of past misfortunes, they know how to distinguish the causes and authors of their disasters. The spell of political quackery is broken. The terms of justice and moderation were also on the lips of Robespierre and Marat, while they butchered their fellow-citizens; and was it not by profaning the sacred names of virtue, humanity, and justice, that all impostors imposed on mankind, and overflowed the world with streams of blood?

Let those who obstinately persist in the exercise of an usurped power, prove, by restoring it to the lawful owner, that their professions of moderation and justice are sincere, and that they are no accomplices of those criminals whom they now persecute.—Divine justice has already employed them as instruments to punish the guilty; some of them are yet unpunished. But eminent services can obliterate great crimes; and men engaged in the cause for which we are fighting, ought to resign to heaven the task of punishment and revenge.

And ye, generals, officers, and soldiers, who, tired of being the tools of oppression and crimes, refused to become the executioners of their brethren; Ye who, by means of correspondence lately established between us, have learnt to appreciate our sentiments, rely on our word, and take in our ranks the places that are offered you. Join us, to restore to France her former posterity; be the saviours of our country, the deliverers of a young prince, ready to reward your services. It is glorious to receive the price of valour from the hands of a king, whom we have reinstated in his rights! What recompence did your predecessors receive from your tyrants? Humiliation, banishment, and death. What will you choose?

"Ye brave inhabitants of La Vendee, the admiration of Europe, and the envy of France; the moment is come to reap the fruits of your heroic toils. The illustrious shades of Bonchamp, l'Escuve, Roche Jaquelin and of so many heroes, who were your guides and friends, are hovering around your armies! The associates and inheritors of their glory, Charette, Stofflet, Sapinau, and all your intrepid leaders, will accomplish the great work which they have begun, and conducted with so much constancy and courage. We bring you ammunition, arms, and the mighty assistance, which a protecting power that does not confine itself to a bare fruitless admiration of your fortitude, condescends to grant you.

"Ye loyal inhabitants of Britanny, who have honoured me with your confidence, see now that it has not been betrayed. The British government, roused by your perseverance and misfortunes, has granted your request. An army, entirely composed of French troops, comes to second your efforts, and I bring you all the succours you have demanded. His Britannic majesty, forced to repel the unjust aggression of your tyrants, and to assert the respect due to his crown, has, nevertheless, graciously received your fellow citizens and the persecuted ministers of your

religion, and restores them now to your wishes. This is the only answer worthy of his majesty, to the ambitious and destructive plans which your tyrants have imputed to his generous ministers. French officers and soldiers, who, like you, for these four years past have fought for their king, now hasten to join you, and your princes are soon to place themselves at the head of your invincible columns.

"We do not come to shed blood, but we will cause your rights to be respected, and repel force by force. If our enemies sincerely wish for peace, let them cease to devastate your fields, and sack your towns! But if they prefer to prosecute the war, they shall answer to France and to all Europe for the evils occasioned by it, and learn what may be atchieved by the valour and fortitude of men, accustomed to brave evils, dangers, and death, in the defence of the most just and sacred cause.

"De Puisaye, commander in chief."

☞ *It is to be observed, that this proclamation speaks only of the late king of France, Louis the XVII. Although M. de Puisaye knew of his death at the time of issuing it, yet he could speak of no other person, till the royal death had been regularly notified, and till he had received new instructions.*

A FULL ACCOUNT OF THE TRIAL OF

CAPTAIN WIGHTMAN.

BRIGHTON CAMP, JULY 8.

MINUTE proceedings of the court martial for the trial of captain Wightman, for disobedience of orders, and afterwards breaking his arrest, and behaving in a most insolent and mutinous manner at the head of his company, before

SIR WILLIAM SMITH, PRESIDENT,
Colonel of the West Essex regiment, and fourteen other officers belonging to the different regiments.

Judge Advocate, captain ARBUTHNOT, of the royal artillery.

Advocate for the prosecution, Mr. MICHELL.

For the prisoner, Messrs. LOCKHART and BARROW.

Lieutenant-colonel O'KELLY, sworn.

Mr. president, and members of the court, I cannot sufficiently express how much my feelings are wounded in being under the disagreeable necessity of appearing before this court in the character of the prosecutor of a brother officer; and nothing but his outrageous and disorderly conduct before the soldiers could have forced me into measures, which, however repugnant to my feelings, and contrary to my disposition, I am compelled to adopt, for the preservation of order and discipline, on which the very existence of the military profession depends; and notwithstanding the indecent and ungentlemanlike insinuations suggested by that person, who is an utter stranger to me, with no other view than to distract and throw me off my guard*, I trust that, in the course of this prosecution, I shall be able to convince not only every member of this honourable court, but every other person who may hear the proceedings, that I am actuated by no other motive than the duty I owe to my king, my country, and the service. I shall, therefore, take up no longer the time of the court by any further preface, but state the facts as they occurred, as well as my memory can do.

On the 1st July, I was field-officer of the day for the left brigade, and after I had visited the picquets at gun-firing, I returned to take the reports of the companies of my own regiment, then parading in their streets. Colonel Cawthorne being out of camp, or not being present, and I being command-

* At the beginning of the prosecutor's address, he was interrupted by one of the counsel (Mr. Barrow), who reminded the lieutenant-colonel that he was upon his oath. The colonel claimed the protection of the court, and resumed.

ing officer of course, on seeing my own company and captain Mason's without an officer, I went over to enquire if the orders of the day had been read and explained to the men—I was answered by the non-commanding officers of those two companies in the affirmative; on which several of the men asked me questions respecting their claims, and what, by the king's regulations, they were entitled to; which I explained to them. By this time captain Davis, who is adjutant to the regiment, came to me to ask if he might dismiss the men, to which I consented; but on recollection, I desired him not—that I would first enquire if the orders of that day had been read and explained to the different companies. On turning round to go to the companies, I saw captain Wightman close by me, and, as I understand, instead of going to his own company, had remained there all the time, having been speaking to the men of my own company. On going up the front of the line, I enquired if the orders had been read and explained to the men, and was informed by every company (captain Wightman's excepted) that they had been—I asked the serjeant of his company why he had not read and explained the orders to his company. He answered in a manner that I did not perfectly understand; but, I think, it was, that he had not the orders; on which I desired him to get them immediately. On turning round, I saw captain Wightman again close by me, and I asked him why he had not read and explained the orders to his men before that time? His answer was, "that he would read them at his leisure, and that he had been attending me to hear what I said about them." I told him, I did not want his attendance—that he ought to have attended his own company, and read and explained the orders of that day to his men—that he knew they were of the utmost consequence, as they tended to remove the grievances the men had so long complained of, and desired him to read them to his company immediately. He replied, "No, sir, I will not; I shall make my report to your commanding officer at the time he has ordered, and you have nothing to do with it." I told him I had, that I was then commanding officer, and desired him again to read them immediately.—He said, "No, sir, I will not." The prisoner, in a violent manner, said,—"Will you declare, sir, upon your word of honour, as a gentleman, that any other officer in the regiment has done so, or said a word about them but yourself?" I told him that, as it was a standing order of the regiment, I supposed they had. He replied, "No, sir, you know they have not; for there is captain Fitzpatrick walking about, and he has not read them." I replied, that I dared to say he had, and called to his pay-serjeant, who was with his company in the next street, and asked him if the orders had been read and explained to the men? His answer was, "Yes, sir." Captain W. asked him, "Who read them, sir?" The serjeant answered, "I did." Captain W. then turned round, and said to me in a very violent manner, "There, sir, do you hear that?"—I told him I did, and that I would hear more, and asked the same serjeant if his captain was present when the orders were read? To which he replied, "Yes, sir, all the time." I then desired the captain to read and explain the orders to his men immediately. He answered, "No, sir, I will not; let the serjeant read them." I then addressed him, "Sir, I have ordered you to read them, and I insist upon your complying with it." He repeatedly said, he would not, I then thought it necessary to tell him, that if he did not immediately comply with my orders, I should be under the necessity of putting him in arrest. He said, in a very contemptuous manner, "You put me under an arrest!" I replied, "Yes, sir, if you do not comply with my orders immediately, and read and explain the orders to your men, I will. He again refused, and said, in a violent manner, "Then I will not, and put me in arrest at your peril!" which he repeated several times. This threat was so mutinous and disorderly, and the example he was setting, not only at the head of his own company, but in the presence of several of the soldiers of the adjoining regiment, that I could no longer resist ordering the adjutant to take his sword from him, and send him immediately to his tent. The adjutant having done so, I desired him to form a circle of captain Wightman's company, and read and explain the orders to the men. I remained with the company, and observed captain Wightman, instead of going to his tent, as he was ordered, put himself in between the

files, and remained all the time the adjutant was reading and explaining the orders to the men. After this was done, I ordered the adjutant to reduce the circle of the company, and dismiss the regiment. As I retired, I observed captain Wightman turned round, and shaking his fist at me, say, "I will catch you some time or other in a blue coat, and make you suffer for this;" upon which he retired. I reported what had happened to colonel Cawthorne in writing, and desired he would report it to the general; and in order to prevent the ill effects that such disorderly and improper conduct might have on the regiment, applied for a general court martial.

The next day (July 2) I dined with the mess, where, to my great astonishment, after what I had reported to colonel Cawthorne, captain Wightman came and sat exactly opposite to me. My surprize was so great, that I could not help taking a small slip of paper, and writing with a pencil to captain Davis, the adjutant, across the table, to take an opportunity of asking by whose leave captain Wightman had left his tent. He (the adjutant) wrote on the same slip of paper, "colonel Cawthorne." I said across the table to captain Davis, that I believed it was not in his power. Captain Wightman, who sat next, I suppose, saw what I had written to captain Davis, sitting next to him, took a piece of paper out of his pocket, and wrote something upon it, and handed it up to colonel Cawthorne, who then sat at the head of the table, and looked at me, and laughed in a very contemptuous manner, and asked the colonel what he thought of that? I saw by captain Wightman's manner of behaviour, while at dinner, symptoms of very great resentment, as his subsequent conduct evinced. The orders of the day were brought by the non-commissioned officers to the mess-house; and, after reading them, I desired my serjeant to bring me my orderly-book, (orders of the day being on loose paper) to see if some other orders that colonel Cawthorne had issued had been inserted in them. On looking over the book, I found they were not, and asked the serjeant the reason of it, as colonel Cawthorne had informed me, that he (the serjeant) had mentioned to him, that I desired him not to enter the orders alluded to in the orderly-book. The serjeant replied, it was no such thing. Captain Wightman and colonel Cawthorne listening, as I presumed from what fell, to what I said of the serjeant, immediately took it up, spoke of it before the mess, and reprimanded the serjeant, saying, that he told a *lie* (or words to that effect), and that captain Wightman was present when it happened.

Court cleared for deciding whether this part of the evidence should be proceeded in?

The judge advocate resolved, that any thing said in the mess-room concerning colonel Cawthorne was irrelevant to the charge, but that the prosecutor might proceed against the prisoner.

As it was contrary to the rules of the mess to talk of regimental business, I desired the serjeant to withdraw, and moved, that the president should be fined, for speaking on regimental business when strangers were by, as was the case in this instance. "Sir," says captain Wightman, "the president has a right, and if you vote for his being fined, I shall vote against you, for I was present when the serjeant said so;" or words to that effect. I observed to captain Wightman, that I believed he could not vote there at present. He said, "yes, sir, I can, and I will, as long as I stay," or words to that effect. As it was a very great interruption to the conversation of the mess, I dropped the subject and took no further notice of it. As soon as the mess allowance, being a pint of wine to each person, was drank, colonel Cawthorne, captain Wightman, and some other officers went out. I immediately followed colonel Cawthorne, and asked him by what authority, or whose leave, captain Wightman had left his tent? He answered, "captain Wightman asked me leave to dine at the mess, and I gave it him," or words to that effect. I replied. "very well, sir, that is all I want to know." Captain Wightman, on hearing what colonel Cawthorne had said, (at least I presume so, from what had passed) turned round to me and said, "Why, sir, do you think I would come out without having proper leave or authority?" I replied, that "I thought nothing about it; I had asked the question, and I was satisfied." I then returned to the mess-

room, leaving captain Wightman uttering some words that I could not rightly understand.

At gun-firing I went to the parade where again (colonel Cawthorne not being present) I was commanding officer, and after making some enquiries of my own and other companies, respecting the orders of the preceding day, I went to the right of the regiment, where I heard captain Wightman's subaltern (lieutenant Clarke) speak in a loud tone of voice to the men of his company; and on enquiring, I found it to be, on the subject of their claims. I told him, that all that was necessary for him to do was to receive the reports from the men of his company respecting the claims, and give it to the colonel (Cawthorne) as the order directed, as his captain could not then act. Whilst I was speaking to Mr. Clarke and the men, I observed captain Wightman running from his tent to the parade, with a spying glass in his hand, which I suppose he had used to identify my person: I continued speaking to Mr. Clarke and the men of his company, and again repeated the directions I had before given him; on which captain Wightman interrupted me, and saying he had ordered the reports to be made to him, I told him (captain Wightman) that he had no right to assist, or give any *orders* there. He told me he had; that he had my superior officer's authority for doing so. I told him that he certainly had not, nor should he remain there to behave in a disorderly manner, and ordered him to go to his tent immediately. He replied, " Sir, I know I am under an arrest; but I appear here as a citizen, and I will support the rights of a citizen, and come here in any dress I think proper: you see I am without my sword," or words to that effect. I told him that was a language I would not suffer him to make use of; and that, as long as he wore the coat he had on, I would make him obey; and ordered him again to his tent, which he still refused. Shocked at such language coming from the mouth of an English officer, the mutinous and disorderly conduct before not only the men of his own company, but several of the men, and, I believe, officers, of other regiments, I felt it incumbent on me to tell him, that, if he did not immediately comply with my orders and go to his tent, I would call for the officer of the quarter-guard, and send him to his tent a close prisoner, or words to that effect. He then retired a little, and said, " Well, sir, if you will be a tyrant and force me, then I must comply; but, damn me, I'll take a view of you first"—(holding up his glass at me, and continuing to look for some time.) I again repeated, that I would call to the officer of the quarter-guard, if he did not go away instantly. Taking no notice of what I said, and continuing in the same position, I desired lieutenant Clarke, the subaltern of his company, to turn round with his company, and observe the mutinous and shameful conduct of his captain, and to recollect the words and expression he had made use of, as I was now determined to make an example of him; and again desired him to go away. The reply made by captain Wightman was, " You make an example of me! I'll make an example of you." Colonel O'Kelly then called for the officer of the quarter-guard, and ordered a centinel to be placed at captain Wightman's door. The officer returned, and informed me he had done so. I then desired him to go to captain Wightman's tent, and, if he was quiet, and did not behave in a disorderly manner, to take the centinel off. The officer immediately returned, and informed me he had done so; that captain Wightman was not in his tent, but he had met him coming out of another tent (ensign Kennedy's), and told him the message, saying, that he was sorry that he should have been obliged to put a centinel over a brother officer's tent; and asked me if what he had said was wrong. I told him, certainly not; on the contrary, that I was very glad he had said so, or words to that effect, and walked with him round the left flank into the officer's street, where I met captain Davis and some other officers of the regiment. Observing, as I thought, captain Wightman walking with some other officers, I desired captain Davis and the rest of the gentlemen to look at him, and inform me if they believed it to be him. The officers all said it was captain Wightman. I told them, after what had passed, I thought it impossible, and begged them (Davis, Kennedy, and Batton) to accompany

me towards him, that I might be certain it was captain Wightman. They did so, and on coming up, I found it was, and asked him what was the reason he again left his tent, or came out of his tent, after the orders I had given him. He said, to look about, and take the fresh air, for it was a fine afternoon, and he had my commanding officer's leave to do so, or words to that effect. I again ordered him to his tent, which he still disputed; on which captain-lieutenant Jades took him by the arm and pulled him away, saying, "Pray, captain Wightman, come along, and don't say any more." or words to that effect: on which captain Wightman lifted up the telescope, which he still had in his hand, and said, "I don't shake this at this post;" and looking at me, said, "but I shake it at some person or other, and I leave you to construe who that person is:" —upon which I ordered the adjutant to place the centinel over his tent and keep him close prisoner, and then retired.

THURSDAY, JULY 9.

The evidence of colonel O'Kelly was read to him, and finally sworn to.

Q. (From the court.) On what day did the prisoner dine at the mess?—A. On the 2d of July.

Q. Was it on the same day that the prisoner ran out of the tent with the telescope, and made use of the language mentioned in the latter part of your evidence?—A. It was.

The prisoner then produced a paper, objecting to the charges as vague and uncertain; as too general to compel him to a defence, or to enable him to make one, and contrary to the 22d section of the 16th article of war.

The court was cleared, and the prisoner's objections held inadmissible.

When the court was resumed, the prisoner asked for the orders of the 1st of July. The book was sent for, and sworn to by captain Davis, the adjutant.

LIEUTENANT COLONEL O'KELLY CROSS-EXAMINED BY THE PRISONER.

Q. Did you, at any time, make minutes of my conduct and behaviour in question before this court assembled? A. I believe it would be almost impossible for any one to have given such an evidence as I have delivered, without having taken minutes: I did.

Q. When did you take the first minutes?—A. I do not recollect.

Q. Are you in possession now of those minutes?

The prisoner was stopped by the court, who declared the question to be improper, or that the minutes should be produced, after *viva voce* evidence.

The prisoner's counsel admitted their error.

Q. Was I captain of the picquet the evening you were field officer?—A. You were.

Did any conversation take place between you and me, when you were addressing your own and captain Mason's companies?—A. I do not recollect any conversation that passed till I turned round and saw you; I think something passed between you and captain Davis, but what I do not know, nor can I charge my memory with it—in which I might have joined, but I do not know.

JULY 14.

Q. Did you address yourself to any other companies, after you had left your own and captain Mason's?—A. I did address myself to other companies respecting the orders of the day.

Q. When you rode up the line to the grenadier company, and enquired if the orders of the day had been read, were you answered by the serjeant, or me?—A. The serjeant.

Q. Did I make any reply at the time?—A. No, sir, not at that moment, that I recollect.

Q. What time might it be between the dismissal of the picquets and your coming to the grenadier company?—A. It might be half an hour or more, but I cannot exactly state.

Q. Did I say to you, that the commanding officer's orders should be strictly complied with, and made known to the company?—A. Certainly not in those words, or at that moment, as I recollect, but as I have stated it before in my evidence.

Q. When serjeant Rose, of captain Fitzpatrick's company, had said he had read the orders in the presence of his captain, did I not desire serjeant Johnson to form the circle, and read the orders to my company?—A. He did, in the way already given in my evidence.

Q. Do you suppose, that if he had given such order to serjeant Johnson,

the non-commissioned officers heard it?—A. Yes, certainly.

Q. Do you suppose that other persons heard what passed of the language and conversation stated to have been made use of?—A. I believe that captain Davis, with the whole of your company, and several soldiers of the adjoining regiment, might have heard the language made use of.

Q. Do you suppose any person overheard the threatening language stated to have been used by me, after the regiment was dismissed, on the evening of the first of July, and who?—A. Captain Davis, and, I believe, several others; but it was before the regiment was dismissed.

Q. When captain Davis received my sword, did he conduct me to the tent?—A. He did not; but staid and read the orders to the company, as I had directed.

Q. Do you suppose that any person saw me shake my fist at you, after the regiment was dismissed, and who?—A. I believe, captain Davis and several other persons saw it; but it happened, to the best of my recollection, before the regiment was dismissed.

Q. Why did not the adjutant comply with your order, and conduct me to my tent, agreeable to your order?—A. Because, having given you orders to go, as well as captain Davis to send you to the tent, I concluded you would have gone; and I therefore, not wishing to keep the regiment longer on parade, ordered the adjutant to form a circle of your company, and read the orders, &c. which he did.

Q. Did you suppose I was to walk to my tent as a prisoner, without being accompanied by the adjutant, and remain a close prisoner?—A. I did, of course; but did not order you to remain a close prisoner.

Q. At what hour did the prosecutor report to colonel Cawthorne my being in arrest, and my crime?—A. I believe it might be about ten o'clock the next day (Thursday, the 2d of July) when I wrote to colonel Cawthorne; but I reported it verbally to colonel Cawthorne, before the line went out for a field day, the same morning.

Q. Was major Chawel present when colonel Cawthorne told you that he had given me leave to dine at the mess?—A. I believe he was.

Q. Did the colonel then say that I had his permission to walk any where about the limits of the camp, but that I was to do no duty?—A. I did not hear colonel Cawthorne say any such thing, but the precise words which I have already stated in my evidence.

Q. Did I not inform you, on your asking me why I was out of my tent, on the evening of the 2d of July, that I had the colonel's permission to walk there, and any where about the lines within the limits of the camp, which I hoped I had not exceeded; and that I was doing no duty, or interfering with my company?—A. You did inform me, when I told you you had no right to give orders or appear there, that you had my commanding officer's permission for what you did, and used the language I have already stated.

Q. Did I not inform you, some time in the day of the 2d of July, that I had colonel Cawthorne's permission to walk about and leave my tent?—A. Certainly not, but in the manner I have already stated.

Q. Do you suppose any person overheard the conversation that passed on the 2d of July, and the language sworn by you to have been made use of before my company (lieutenant Clarke being present), and who?—A. I suppose that the whole of the company, and many others, heard the principal part of it.

Q. Was any person present, and overheard me say that I was a citizen, and would support the rights of a citizen, and who?—A. I believe, several of the adjoining regiment, and, I believe, some officers.

Q. Do you imagine that I uttered the word citizen in a democratic, revolutionary, or disloyal sense?—A. I imagine it impossible for me to have understood it in any other sense, from the manner of its being delivered, and at the time.

JULY 15.

Q. When with my company, at the time of this supposed mutinous conduct on the 2d of July, did you order the adjutant, or any commissioned or non-commissioned officer, to conduct me to my tent?—A. I did not, but called to the officer of the quarter-guard, as already stated in my evidence.

Q. Do you suppose any person overheard these words, as stated to have been spoken by me, "If you will be a tyrant, and force me to go, go I must;

but, damn me, I'll first take a view of you?"—A. I believe, several of your own company, and soldiers of the adjoining regiment.

Q. (From the court.) Did the prisoner at any time inform the prosecutor, that he had permission to walk about the regiment?—A. Certainly not, but in the way already stated in the evidence.

Q. (From the court.) At what hour did you ask colonel Cawthorne if he had given captain Wightman leave to dine at the mess, on the 2d of July?—A. I should suppose it to be about seven o'clock.

Q. What was colonel Cawthorne's reply?—A. That captain Wightman had asked him leave to dine at the mess, and that he gave it to him, or words to that effect.

Q. Did colonel Cawthorne leave the camp on the 2d of July, when you were on parade, or was he in any part of it? A. I believe he had left the camp, but cannot take upon myself positively to say.

Q. Did colonel Cawthorne tell you at the mess, that he had given the prisoner permission to walk about the lines of the camp?—A. I cannot recollect colonel Cawthorne's mentioning any such thing.

Q. You say you were with several of the companies of the regiment on parade, on the 2d of July, did you, during such parade, see or hear any thing of colonel Cawthorne's being in the lines of the Westminster regiment, at any time during the parade?—A. Certainly not, or I would not have presumed to have given the orders I have already stated to have given, or made the observations to the prisoner that appear in my evidence.

Q. (From the prisoner to the prosecutor.) Were you, in the course of the day (July 2) informed by general Jones that I had the colonel's permission to walk about the lines of the regiment, or words to that effect?—A. I cannot bring to my recollection that the general told me so, although I had some conversation with the general upon the subject.

Q. Did you not inform general Jones, on the 2d of July, that I was then in the mess-house, and sitting at table with my brother officers?—A. To the best of my recollection, I did.

Q. (From the court.) Did you understand, from the conversation with general Jones, that he had any information that colonel Cawthorne had extended the arrest to the lines of the regiment?—A. Certainly not.

JULY 17.

Captain Davis *called in and examined by the prosecutor.*

Q. Do you recollect my being commanding officer on the evening parade on the 1st of July?

A. Yes, I do.

Q. Do you remember coming to me, when in conversation with my own company, and asking me if I should dismiss the regiment?

A. I did, and went to you as commanding officer.

Q. What answer did I make?

A. You said yes; but then said, "Stop a little, Davis, I will first ride up to the different companies, and see if the orders have been read."

Q. Do you remember captain Wightman's standing by me at that time?

A. I recollect captain Wightman's standing near you at that time.

Q. Relate all that passed as to the behaviour of captain Wightman, from that time to the time I ordered you to dismiss the regiment?

A. The prosecutor's company is the 6th on the left, and he passed from that to the right of the regiment. In going along, on the evening of the 1st of July, he enquired of the different companies on the right, if the orders had been read and explained to the men. He was answered by four companies on the right that they had; but when he came to captain Wightman's company (the grenadiers), he asked if the orders had been read to that company. The serjeant answered, that they had not.—The prosecutor then asked why they had not been read. The serjeant answered, he had not them. The prosecutor ordered him to get them and read them immediately. The proseeutor had some conversasion with captain Wightman's men, but I cannot say at this time what it was in particular. The prosecutor turning round, saw Captain Wightman, and ordered him to read the orders to his company. Captain Whightman said, "Will you, upon your honour, say that there is a captain in the regiment who has read the

orders himself this evening?" The prosecutor said, that it was his orders the captain should read them himself to his company. Captain Wightman said, "No, sir, I shall read them at my leisure, and explain them, as colonel Cawthorne has ordered me." "Sir," said the prosecutor, "it is my order you read them now." Captain Wightman said, "No, sir," and said, "Here, serjeant Johnson, do you read them." Prosecutor said that captain Wightman should read them himself, and if he would not, he would put him under arrest for disobedience of orders. To which captain Wightman said, "You, sir, put me under arrest at your peril." The prosecutor then said he would put him under arrest, and ordered me to take his sword, which I did. The prosecutor then ordered me to read and explain the orders to the men, which I did to captain Wightman's company. Captain Wightman remained all the time I was reading the orders near his company. The prosecutor again ordered captain Wightman to his tent. Captain Wightman then turned to go to his tent from the street, and said, he should meet or see him in a blue coat, meaning the prosecutor. I then returned to dismiss the regiment.

Q. (From the court.) Did the prosecutor go to every company of the regiment on the 1st of July?

A. No, not that I know of.

Q. (From the prosecutor.) Do you recollect any words the prisoner made use of respecting captain Fitzpatrick's company, and the serjeant's reading the orders, after the prisoner had asked me, "If I would say, upon my word and honour, that the orders had been read by other companies?"

A. I do not recollect the conversation, but recollect the serjeant's being sent for.

Q. What did I ask the serjeant on his coming to me?

A. You asked him who read the orders to the company.

Q. What reply did the serjeant make?

A. He himself.

Q. On captain Wightman's making some observations to me, did I not ask the serjeant (Rose) if captain Fitzpatrick was present when the orders were read?

A. His answer was, that captain Fitzpatrick was present.

Q. Did I not then order the prisoner to read the orders, which he repeatedly refused?

A. I have already answered that in my evidence.

Q. Did not the prisoner repeat to me the threat at the head of his company of "Put me under arrest at your peril?"

A. I believe captain Wightman repeated it more than once.

Q. Is it not a standing order of the regiment that the officer of a company shall attend and read the orders to his company, and make his report to the commanding officer on the parade?

A. I believe there is such an order as to the proceedings of the 2d of July.

Q. Do you recollect, on the 2d of July, when the parade was dismissed, my coming to you in the officers street?

A. I do.

Q. Relate to the court what passed from that time to the time I ordered you to place a centinel on captain Wightman, and keep him a close prisoner.

[This part of the evidence so much resembles the one given by colonel O'Kelly on a former day, that we shall pass over captain Davis here.]

Q. (By the prosecutor.) Did I not remark that I thought it impossible it could be captain Wightman, or that he could appear in the street, after the strict orders given to him by me to keep prisoner in his tent, at the time you said it was captain Wightman?

A. I do not recollect.

Q. (From the court.) Did the prisoner turn his head round, when he said, "I do not shake this glass at a post, &c." or were the words addressed to or spoken of the prosecutor?

A. The prisoner turned in part, but I believe I did not see the prosecutor at that moment. I suppose the words were addressed to the presecutor, but cannot positively say so.

Cross-examined by Captain WIGHTMAN.

Q. Was I captain of the picquet on the 1st of July?

A. You were.

Q. Do you recollect any conversation that passed between yourself and me, or between the prosecutor and me, at the time we were near mine and captain Mason's companies?

A. There was some conversation

passed, but I do not recollect the particulars.

Q. Do you recollect any conversation that passed respecting the contracts for meat and bread, or the king's regulations, when I was commanding officer?

A. I do not recollect any conversation.

Q. How long was it after the picquet was dismissed that the prosecutor came to the grenadier company?

A. It might be twenty minutes or half an hour.

Q. Do you recollect my saying to the prosecutor, that the orders should be strictly complied with and read to the men, or words to that effect?

A. I cannot speak positively.

Q. Do you know whether any captain or commissioned officer read the orders that day (1st of July)?

A. I did not hear them.

Q. Do you suppose, that on the 2d of July, in the evening, captain Fitzpatrick and the other officers overheard the conversation between me and the prosecutor?

A. I cannot say, but suppose they might have heard part.

Q. Did you, in the course of that day, hear me tell the prosecutor that I had colonel Cawthorne's permission to walk within the lines of the regiment?

A. I think you did.

Q. Did you tell the prosecutor in the course of the 2d of July, that I had colonel Cawthorne's permission to walk within the lines of the regiment?

A. I did not.

Q. How long have you known me, and what is your opinion of me as an officer?—and what has been my general conduct for obedience and loyalty?

[The prisoner was so agitated when he put this question, that the court and spectators appeared much affected.]

A. Fourteen or fifteen years.—It is as painful for me to give evidence this day as for you to hear it:—Your conduct has been ever peaceable, and that of an officer and a gentleman.

Q. (From the court.) Did you tell the prosecutor that the prisoner had colonel Cawthorne's permission to go to the mess house only, or to walk about the lines at all times?

A. To walk in the officers street, and go to the mess-house to dinner.

Q. (From the prisoner.) Am I in the habit of walking with my spying glass in my hand?

A. Yes; frequently.

Q. (From the court.) Did not the prisoner, on the evening of the 1st of July, go to his tent, and submit to the arrest before you had dismissed the grenadier company?

A. I did not see him go into the tent, but towards his tent, and no doubt but he submitted to the order of arrest.

Q. (From the prosecutor.) Did the prisoner utter loud words or gestures in the conversation he had with me in your sight or hearing?

A. The conversation was loud between the prisoner and you.

Q. (From the court.) Do you mean that the words "I do not shake this glass at that post, but at some other person, &c." were addressed to the prosecutor?

A. I have already said, I suppose to the prosecutor.

Q. (From the court to captain Davis.) From the prisoner dining at the mess table with colonel Cawthorne's leave, can you say that he broke his arrest before he had the colonel's orders?

A. I cannot say he did.

Q. (From the prosecutor.) Did you, at the time I wrote a note to you to enquire by whose authority the prisoner dined at the mess-table, by your answer then, or at any other time, give me the least reason to understand that the colonel's permission extended farther than allowing the prisoner to dine at the mess?

A. No.

Q. Can you say, that the prisoner actually broke his arrest previous to the colonel's permission on the 2d of July, to your knowledge?

A. I cannot, to the best of my knowledge.

Here ended captain Davis's examination.

JULY 18.

Serjeant JOHNSON, *of the Royal Westminster regiment, examined.*

Q. Were you on the evening parade on the 1st of July, when I was commanding officer?

A. Yes.

Repeat to the court the circumstances and conversation which passed that evening, from the time the prosecutor first spoke to the prisoner, to the time the prisoner left the parade.

On Wednesday evening, July 1, af-

ter the gun had fired, the prosecutor came up to captain Wightman's company, and asked me if I had read the orders to his company, upon which I replied, No.—The prosecutor ordered me to fetch the orders, which I did accordingly. The prosecutor ordered captain Wightman to read the orders; captain Wightman replied, No. Then captain Wightman asked the prosecutor if he would say, upon the word of a gentleman, that any commanding officer had read the orders themselves; on which the prosecutor called for captain Fitzpatrick. He not being present, the prosecutor called for serjeant Rose, and asked him who had read the orders to his company; upon which he replied, he had, in the presence of his captain; on which captain Wightman ordered me to read the orders of his company.—The prosecutor refused me so to do; and said, "Sir, you disobey my orders, I will put you under arrest;" on which the prosecutor called captain Davis, and the prisoner delivered him his sword, and the prosecutor ordered captain Davis to read the orders to the company.

Q. (From the prosecutor.) Did you go from your company after I had asked you if the orders had been read?

A. Yes; to fetch the orders.

Q. What reply did the prisoner make to me when I said I would put him under an arrest?

A. There were some words passed, but I cannot recollect them.

Q. Did you hear what the prisoner said to me, as he was going from his parade to his tent?

A. I did not.

Q. Did you, on the 2d of July, observe the conversation between me and the prisoner?

A. I was not present.

Cross-examined by the prisoner.

Q. On the 1st of July, after gun-firing, when serjeant Johnson offered me the reports to sign, did not I refuse it, saying I was captain of the picquet?

A. You did so, but I cannot recollect whether the gun had fired or not.

Q. Did I not, on the 1st of July, on the prosecutor's first coming up to my company, tell him that the orders of the day should be punctually obeyed and explained to the company, or words to that effect?

A. There were words to that effect, but I cannot recollect the particulars.

Q. (From the court.) Why had not the orders been read in this company as well as in other companies?

A. Because I mislaid them.

Q. (From the prosecutor.) Is it not the custom of the regiment for brother officers, and men on picquet, to attend the parade, and go into the field?

A. Yes, it is.

Q. (From the prisoner.) Have you ever known an instance of the picquets doing duty between morning and evening gun-firing, except upon emergency?

A. No.

Q. (From the court.) Is it the custom of the officers of the picquet (after picquet dismissed) to come on the parade to their companies?

A. No; it is not.

Q. (By the prosecutor.) Have you not seen officers of the picquet (when picquet has been over, and no officer has been on the parade) frequently go to their company's parade to read and explain the orders to the men, and make their report to the officer on parade?

A. I do not recollect it often to be the case.

Serjeant JAMES WHITE, *of the Herefordshire regiment, examined.*

Q. Did you observe the prisoner in conversation with me, on the evening parade of the 2d of July?

A. I did.

Repeat to the court the circumstances and conversation that passed that evening, from the time I first spoke to him to the time he left the parade, and the words and conduct that the prisoner used towards me.

Lieutenant colonel O'Kelly asked captain Wightman what brought him there, and did he know that he was under arrest? Captain Wightman said he did. Colonel O'Kelly ordered him to his tent. He said he would not go; he had leave from the prosecutor's commanding officer to walk within the liberty of the picquet. Colonel O'Kelly ordered him again to his tent; upon which captain Wightman said, that the prosecutor was not commanding officer. The prosecutor said he was, and ordered the prisoner again to his tent.—

Captain Wightman said, "I here appear as a citizen, and I'll support the rights of a citizen. The lieutenant-colonel ordered him to his tent again: the captain answered, "If thou wilt be a tyrant, and force me to go—go I must; but—" (and walked a few paces, and turned round and said) "D—n thee, I'll take a view of thee first." Then he put up his spy glass to his eyes. Lieutenant-colonel O'Kelly then ordered lieutenant Clarke to observe the disorderly conduct of his captain, which lieutenant Clarke said he did. Colonel O'Kelly said, "Eyes to the right," to the grenadiers, "and look at your captain."

Q. (From the court.) Where did you stand to hear so distinctly?

A. I stood opposite to colonel O'Kelly, between the streets of the Westminster, about five or six yards from him.

Q. What brought you into the streets of the Westminster at that time?

A. Our regiment was dismissed, and I was walking from my own parade towards the Westminster.

Q. (From the prosecutor.) Do you recollect my telling captain Wightman, that, if he did not go to his tent, I would call for the quarter guard?

A. I do? I heard the sentry call out for the officer of the quarter-guard.

Q. Did you hear the prisoner tell me, in ordering him to his tent, that he would appear there in spite of me?

A. I did not hear.

John Powell, *of the Herefordshire regiment, sworn.*

Q. Did you observe captain Wightman in conversation with me on the evening of the 2d of July?

A. Yes.

Q. Repeat to the court the circumstances and conversation which passed that evening, from the time I first spoke to captain Wightman to the time he left the parade, and the words and conduct that captain Wightman made use of to me.

A. I heard lieutenant-colonel O'Kelly order the prisoner to his tent: he refused going; on which the lieutenant colonel insisted on his going. Captain Wightman told him he would not obey his orders—he was not commanding officer; he had leave from his colonel to appear and walk up and down there, and take a little fresh air, for he had been confined to his tent all the morning. On that the lieutenant-colonel insisted upon his going to his tent again, which he still refused; and the lieutenant-colonel then sent for the officer of the quarter-guard. In the mean time, the lieutenant-colonel ordered him to go to his tent again. Captain Wightman said, "If you will be a tyrant, and force me to go—go I must;" and then said, "D—n me, or d—n you, I'll take a view of you first," and put his spy glass up to his eyes.

Q. Did you hear me tell the prisoner that I was commanding officer, when the prisoner said I was not?

A. I do not recollect.

Q. In what manner were the words, "Well, if you will be a tyrant, and force me to go—go I must," spoken; and did the prisoner hold up his spying glass in a threatening way?

A. He spoke the words in a rash way, and stamped with his feet; but I do not know whether the spying glass was held up in a threatening way or not.

William Lewis, *of the Herefordshire regiment, sworn.*

Q. Did you observe the prisoner in conversation with me at the parade on the evening of the 2d of July?

A. Yes, sir, I did.

Q. Repeat to the court what passed, &c. [Vide the above question to John Powel.]

A. The first I heard was colonel O'Kelly's desiring captain Wightman to go to his tent, and asking him what business he had there, and if he knew he was under arrest. He said, he did not know;—that he was a citizen, and would appear as a citizen, and in what dress he thought proper. Colonel O'Kelly desired him again to go to his tent; he refused, and would not go.—The lieutenant-colonel sent for the officer of the quarter-guard, and in the mean time desired him again to go.—Captain Wightman said, "If you will be a tyrant, and force me to go—go I must;" (and he walked four or five paces to the right of the company, and said) "Damn me, or damn you, I'll take a view of you first," and held the spying glass up to his eye. He then walked off to his tent.

Q. Did you hear the prisoner tell me he would make an example of me?

A. No; I did not.

Q. Did you hear me tell lieutenant Clarke to observe the mutinous and disorderly conduct of his captain, and to turn himself and the company round to see it?

A. I heard you desire lieutenant Clarke to observe the conduct of his captain; but did not hear you desire him to turn round with his company.

Q. What did lieutenant Clarke say and do upon that occasion?

A. I did not observe the lieutenant say or do any thing.

Ensign KENNEDY, *of the Royal Westminster regiment, sworn.*

Q. Were you officer of the quarter-guard on the 2d July, in the evening?

A. I was.

Q. Were you sent by me to place a centinel on captain Wightman?

A. I was.

Q. Did you do so?

A. I did.

Q. Were you ordered by me to take such centinel off, and for what reason?

A. Yes, if I found captain Wightman quiet and peaceable at his tent.

Q. Was the prisoner in his tent, and the centinel doing duty there?

A. The centinel was doing duty at the tent, but the prisoner was not there.

Q. Relate what happened afterwards, and the conversation which passed between you and myself, after you had taken the centinel off.—A. I saw captain Wightman coming out of captain Fitzpatrick's tent. I told him I had taken the centinel off, which gave me pleasure, as it gave me regret to put one on, but that I was officer of the quarter guard. Captain Wightman said, he was not so young a soldier, but he knew I was doing my duty, and that I could not have placed a centinel there without orders from a superior officer. I then went to colonel O'Kelly, and told him I had taken the centinel off, and asked him if I was wrong in saying what I did to captain Wightman? The colonel said, I had done right, and that he approved of it, or words to that effect. I then went with the lieutenant-colonel from the grenadiers' street by the infantry, down the front of the line, round to the officers' street. We there met captain Davis, the adjutant, and, I believe, Mr. Brutton. Observing the colonel enter into conversation with captain Davis, I turned aside, and followed them at a little distance down the officers' street, where we soon after met captain Wightman. Colonel O'Kelly spoke to him, and I saw the colonel and captain Wightman speaking together, but I do not recollect what the conversation was. Captain Jades pulled captain Wightman by the arm several times, and said, "Come away, come away, say no more to the lieutenant colonel." Captain Wightman then turned towards his tent, and before he entered it, lifted up his spying glass, which he had in his hand, and pointing it to the officers' tent, said, "I do not shake this glass at that post, but at somebody or something else. Mind what I say. You may construe these words as you please," turning round his hand at the same time towards the lieutenant-colonel, as near as I can recollect. The lietenant-colonel then ordered captain Davis to place a centinel over the prisoner's tent, and I went with captain Davis, and sent a centinel to the prisoner's tent.

JULY 20.

ENSIGN KENNEDY *cross examined.*

Q. Did you, when you placed a centinel over me, tell me I was to continue there a close prisoner; or did you ever tell me so?—A. No, sir.

Q. Did you hear me tell the prosecutor that I was only a few yards from the tent, enjoying the fresh air, for which I had colonel Cawthorne's permission?—A. I do not recollect the particulars, but I did hear you say something about the fresh air.

Q. (From the court). Do you think the prisoner could see the prosecutor when he turned round his head, at the time he shook his glass?—A. I suppose so.

Q. Had you any conversation with the prisoner, when he said, "I do not shake this glass at that post, but at some person, &c." to whom these words might have been addressed by the prisoner?—A. Oh, no! not that I should suppose.

Q. Have you reason to believe, or to suppose, that these words were spoken to captain Jades, or the prosecutor?—A. It struck me that the words were spoken to lieutenant colonel O'Kelly.

ENSIGN KENNEDY *examined by the Prosecutor.*

Q. Did you, on the 1st of July, agreeable to the standing orders of the regiment, read and explain to the men of your company the orders of that day?—A. I did.

Q. (From the court to the prosecutor).—Are there any standing orders written, or customary, in the Westminster regiment, that require captains of companies to read and explain the regimental orders of the day to the men of their respective companies?—A. I am not certain.

ENSIGN BRUTTON, *of the royal Westminster regiment, sworn.*

Q. Were you with captain Davis on the 2d of July, in the evening, when I joined you with Mr. Kennedy, on the left of the officers street?—A. I recollect you and Mr. Kennedy coming up to the left of the officers street, but I do not recollect captain Davis being with you.

Q. Relate to the court what passed from that time to the time I left you.—A. I saw captain Wightman near his own tent with a telescope in his hand, which he shook at the door-post of his tent, and he looked round at the same time to colonel O'Kelly, saying, "I do not shake this glass at that post, but at some other person—you, sir, may construe it into what meaning you please."

Q. Did you hear me order captain Davis, in consequence of those words, to place a centinel over the prisoner's tent, and keep him a close prisoner for mutiny?—A. I heard you order captain Wightman to his tent for his mutinous behaviour, but cannot say it was in consequence of the words which were spoken, and heard you desire some person to place a centinel over his tent; I do not know whether it was captain Davis or not; I was taking orders for the picquet, and did not pay attention.

Q. Do you remember the prisoner's hollowing at me from his tent, just after I had ordered him there in close confinement?—A. I do not recollect it.

[*To be concluded in our next.*]

IN our last volume page 442 we gave the public the particulars of the trial of Major Manley for disobedience of orders. The sentence has since been published, and we here present it to our readers.

"The court having duly considered the evidence brought forward on the part of the prosecution and the prisoners defence, are of opinion, that he is not guilty of the first article of the charge, and do therefore acquit him of the same; but are of opinion that he is guilty of the second and third articles of the charge. In consideration, however, that the prisoner has already suffered a long and close confinement for nearly six weeks, that his errors were excited by the extreme pressure and urgency of his private concerns, and not by any wanton or wilful neglect of, or opposition to military duty and subordination, do adjudge him, TO BE PRIVATELY REPRIMANDED BY THE PRESIDENT IN THE NAME OF THE COURT."

ANECDOTES OF TATE WILKINSON, ESQ.

MANAGER OF THE YORK THEATRE,

(*Related by himself.*)

ON Friday, February 24, 1791, I went out on a tolerable noon to dine in Green-street, near Grosvenor Square; the afternoon grew very bad with snow, wind, and every disagreeable concomitant; with difficulty I had a coach procured to convey me to Covent Garden theatre. The entertainments for that evening, to the best of my recollection, were "The Wonder" and the "Merry Mourners;" be they what they would, the curtain, on that evening, was much later in dropping than that of Drury-lane. When I got

into the Piazza, the alarm for coach and chair was wonderful; I was terribly drove by the distressed crowd, but I blessed my wonder-working stars, that on a night so truly dreadful as that was (and must be recollected by many) that I was under the hospitable roof of that friendly shelter the piazza. I had no notion that Drury-lane theatre had finished "The Twelfth Night," &c. earlier than Covent Garden, therefore determined to post away for that theatre, thinking I might luckily get a coach on that spot, but the getting there, though so short a distance, cost me many a sigh and sob, though I cannot say tear, but was near paying that tribute to my sorrows from the accumulated distresses I felt: indeed my situation must be allowed disagreeable; no great coat, but wind, rain, and tempest; pushed on all sides by the link-boys, coach-men, chair-men, and crowd; hustled by the pick-pockets; and dreading every moment to be thrown down by the slippery intermixture of snow and rain, which nothing could have prevented but some friendly wet puddle, which received my sliding slippery feet. A walk of ten miles to an intrepid Indian, in the midst of a hurricane, would not have alarmed him more than my adventurous limping walk did me. With much difficulty, and my mind suggesting fever, cold, additional broken limbs, robbery, and the being run over, I at length, by the help of Providence, or perchance of "The divinity that doth hedge a motley king," arrived at the box-lobby of Drury-lane theatre, where I was informed the performance had closed near an hour, but to my sight the appearance of the box company was just as when the curtain might have been supposed to have dropped: for though on inspection the pit and galleries were entirely cleared, and presented a vacuum that would not have delighted the eyes of a Garrick, had he been then appointed to have acted Richard or Bayes, yet at that time it appeared very quiet, and a comfortable asylum in my then present distress. The universal outcry for "coach" and "chair" was inconceivable, and at any price, "half a guinea to the city;" "half a guinea to Grosvenor Square," &c. And I must observe, that chance, and chance only, had kept me to dine in London on the Sunday following at St. James's Square, which honour my gratitude, pride, and pleasure, could not refuse, otherwise I had been travelling on that dreadful night for Portsmouth. In the box-lobby I gave many marks of uneasiness, and expressions of sorrow and distress that I could not engage a coach for Grays-inn-lane. The box keepers then in waiting all knew me, and gave every consolation in their power, not only in words of comfort, but the more pleasing promised assurance of relief the first opportunity; for one or two of them whispered me to be quiet, and I should not be left unlike a gentleman, without my carriage. They, from experience on such occasions, knew that many crops, jemmies, and jessamies, on the first alarm of distress, would not only bid, but give extravagantly for a coach, but would soon grow weary of the lobby lounge, and rush through the storm to some more comfortable place of resort for ease, pleasure, and comfort, which was actually the case; for some who obtained a carriage at an exorbitant price, and others leaving for want of patience, left about one half only in equal anxiety and perturbation with myself. At length in loud words I heard "Mr. Wilkinson's carriage is waiting!" On the first sound of such welcome and unexpected tidings I was at a loss how to act, supposing a Mr. Wilkinson's real carriage was waiting, as there are many rich Wilkinsons as well as poor; but my stupor was relieved by the box-keeper advancing and bowing to me to attend me to my carriage. He readily explained the quick mode he had taken to relieve my impatience and anxiety, as many in waiting would suppose it was my own vehicle. I judged all my cares were over, but at the bottom of the box steps I was saluted by my cockney coachman as follows: "Look-ye, my master, I knows not whomsomdever you may be, but the night is so bad it vill be the death of me and my cattle, and I don't ax you for my fare, for I was not on any stand, and you can't oblige me as how to take you, and so minds I tells you, that I vont take you into my coach, for as how to carry you to Graves-inn-lane, without that you vill give me eight shillings; and I vont, because I vont, and so I tells you; but if you vill give me that there price, vy I vill drive you as vell as

I can." I stopped his harrangue, and assured him I would on my honour give him eight shillings, which silenced his oration, and into the coach I got, and felt myself in a paradise, and with the utmost difficulty I was slowly dragged to my hotel, where I cheerfully paid the sum stipulated, with a bumper of brandy into the bargain; and the Jehu was so faithful on his part of assurance, that when at the hotel there were three or four gentlemen in great distress for a coach, but contrary to that part of the town where his home was destined for the night, that he would not accept any bribe whatever, but made his exit, exulting in the favour he had bestowed in bringing the *gemman* to his lodgings on so dismal a night. I was not dissatisfied at what I had done, but felt very comfortable with my fire and a cordial glass of wine; and after having refreshed, and added to my wisdom three or four pinches of snuff, the mist of my brain diffused, and I began to view the real distress as truly ridiculous, when I recollected the thousand doors open to my relief. Without encountering one half the inconvenience, an entire stranger to London would have known better than to have acted so egregiously wrong as I had done; for it will readily occur to every imagination the many hospitable roofs ready to have relieved and sheltered me, which absolutely at the moment, nay indeed the hour, no more occurred to me than if I had not possessed one of the five senses. First, without going from under the shelter of the Piazza, as I could not get a carriage or chair, there were ready to receive me, with a noble fire, the Shakespear tavern, the Bedford coffee-house, the Hummums, and a porter at command to have gone to the hotel for Mr. Warburton not to sit up, or in an hour's time the chairs returning to their native home Covent Garden, and one o'clock or later the time of their rendezvous: and another resource was, only to have walked through the pit passage of Covent Garden theatre from the Piazza to Bow-street, and there I should have been received with welcome, either by Mr. Lewis or Mr. and Mrs. Hull. The said Mrs. Hull would have said—

"My enemy's dog, tho' he had bit her,
Should have slept that night before her fire."

When I related my hair-breadth scapes the next day, I was truly laughed at, when describing I was in want of fire, food, comfort, or any thing within the environs of Covent Garden and edging on the purlieus of Drury-lane, where there are variety of warm receptacles.

The Sunday following, February 27, 1791, I had the honour of an invitation in St. James's Square; and that no such perils and disasters might happen on that night, as on the preceding Friday, and knowing how precarious (from late experience) carriages were as to dependance, particularly on a Sunday, a precaution was the more necessary, as it was more than probable that inclination, indiscretion, and a little necessity, would inevitably occasion my taking libations down to the health of my king, country, and friends. To prevent disaster as far as possible, I ordered a person to attend me, smartly dressed, by eleven o'clock on the Sunday evening, with particular orders to secure a coach or chair; for without assistance, it would have been too long a walk from St. James's square to Grays-inn-lane. About the hour appointed the servant came, and informed me that *my servants and carriage* were ready. I could not help smiling, that a man so well acquainted with carriages, &c. should call one man *servants*, and a hackney-coach *my carriage*: however, in about an hour after I made my exit, and when advanced into the hall I saw my gentleman-in-waiting, who conducted me safe to the door. I wondered the coach was not ready opposite, but my beau gentleman said it rained, and I had better walk two or three yards to my carriage than stop, and being of the same opinion I took hold of his arm and proceeded on to the coach, which to my great surprise was a most elegant one, and the charioteer nobly adorned with a superb livery, and a servant holding the door open as richly arrayed. I found there was no time for questions, in I stepped into *my* carriage, and my gentleman after me. When the servant had received orders where to drive, and Jehu had set forward, I was impatient to have my curiosity satisfied as to solving the wonder, which appeared to me so mysterious, and like a novel adventure. My gentleman told me, that passing by Brookes's, where

there was held a Sunday club, he had perceived a gentleman alight out of the carriage, and the night being wet, he found it very difficult to obtain coach or chair, and by way of experiment determined to try his rhetoric with the coachman, by first asking him how long it would be before his master would want his carriage for his return home; the coachy replied, "Perhaps not till four or five in the morning, which was killing the horses in winter nights, was bad for man and beast, but the quality never thought of what poor servants suffered." It was then hinted to the coachman, that it would do the horses more good than harm if he would take a gentleman who was in distress for a coach as far as Grays-inn-lane; the coachman and footman agreed it would be very clever, provided the gentleman was an entire stranger; when being assured it was a person from Yorkshire, merely on a visit for a few days, and being promised a good reward, which leads upper servants sometimes astray when appointed in the higher departments of life, they immediately agreed to set off for the *gemman*; but when told that the carriage was to stop at his grace's in St. James's Square, they demurred, but settling to stop as by accident at a house adjoining, the gloominess of the night, and the drizzling rain, would prevent the prying eyes of curiosity; and on that faith they placed reliance, came to St. James's Square as related, and conveyed me expeditiously and safely to the hotel in Gray's-inn-lane, and myself perfectly pleased with the novelty and whimsicality of the adventure. After rewarding them for their labour, I ordered them full bumpers of whatever they liked, returned thanks for the kindness I had received, and begged to know to whose servants I was so much obliged, when the coachman archly replied, "Sir, I have brought you safe, and I hope you are pleased; you have behaved like a gemman, and me and my fellow servant are pleased; but if I give up my master's name, you may tell the story, and it may reach his ears, and we shall lose our places: so, Sir, your humble servant, and God bless your honour." Thus they took their leave, drove away for a more polite end of the town; and I never during my stay in London saw the coach or servants again, either from the opera or the play, or at noon: I often curiously spied for my late elegant carriage, but without success. I do not suppose I am the only person who has by such means rode in a coach to which he was not properly entitled; but I hope and believe, neither the coach nor horses were in the least injured, which the horses too likely would have been by so long a stand without exercise in a cold winter's night.

OSAKOI.

A RUSSIAN ANECDOTE IN THE REIGN OF PETER THE GREAT—PUBLISHED LATELY FOR THE FIRST TIME.

DURING the troubles occasioned by the restless ambition of the princess Sophia,* it is a well known fact, that the revolt of Strelitz † had nearly involved the empire in ruin.

A brother of the famous Tottelawitau, a colonel in that corps, lost his life on the scaffold. His brother, named Osakoi, whose estates were confiscated, left a son in a most deplorable situation. This unfortunate youth, almost by a miracle, escaped the emissaries of the emperor, and was concealed in a village by a slave of his father, having attained to a state of consequence, this servant led him into the secret of his birth, and proposed to him the means of revenging his family, by the assassi-

* She was the eldest sister of Czar Peter, and having herself an eye upon the throne, frequently attempted the death of her brother.

† This military force may, in many respects, be compared to the Pretorian bands of the Romans, or the janissaries among the Turks, but infinitely more barbarous.

nation of Czar; a proposition which roused the youth, and which, notwithstanding, he dissembled. Upon which the slave, who believed that he had succeeded, persuaded him to set out for Moscow, where (he informed him) he would find conspirators to second his design. Whether through weakness, or whether through the hopes of revenge, Osakoi followed the directions of his guide. Having arrived by night, he stopped at an obscure inn near Kremlin, which was the residence of the emperor.

The slave having found his friends, it was agreed on, that very night, they should hold a council in the retired part of a house, at a little distance from the imperial palace.

Osakoi, who, till that very period, was unable to obtain of his companion any intelligence concernig the conspirators, with respect to who they were, urged him anew, but in vain, to satisfy his curiosity.

The hour of meeting arrives, the slave says to him in private, you are now about to meet with men inflamed with the desire of revenge, and who, in opposition to your youth, and want of experience, are resolved on appointing you their leader. The humble state into which you are dejected, the blood of your father, which, as yet, is smoaking, in short, all these circumstances ought to kindle your courage, and make you brave the dangers of that revenge which you are going to obtain.

These words made the young Osakoi tremble, and with so much the more reason as the inn was crouded with Russians of all descriptions, who, after the custom of the country, were intoxicating themselves in the best manner every one could.

It is true, that the slave spoke sufficiently low, and in a dialect unknown to the Russians of Moscow. But was it not possible that some one might overhear their discourse? A crime is always blind, and almost invariably betrays itself.

The slave and Osakoi repaired to the rendezvous where this fatal assembly was to be held; the conspirators were already arrived.

"You see," says the most remarkable among them, to our youth, "some unfortunate men who have escaped the tyranny of the Czar. This barbarian, in causing to perish by the hand of the executioner, and even by his own, the majority of our brothers Strelitz, was unable to extend his fury to us. Heaven has been pleased to preserve us, as the instrument of its vengeance, and that period is now arrived. Be filled with rage young Osakoi! I have seen the blood of your unfortunate father spilled; Oh! how I followed him to the scaffold! and was unable to save him! wandering these ten years through the most frightful deserts; the horror of our situation obliged us to take fraudulently a subsistance, which, as soldiers and citizens, we were intitled to do! but to-morrow, this cruel tyrant, and his chief courtiers, shall fall under our blows. Young man! we loved your father; he was our chief, now be you so in your turn, and may your courage render you worthy of our choice. When a sovereign has broke through the lawful bounds of power; when misery oppresses his subjects, the courage of freeing themselves from this, ought equally to break down the bounds of duty and humanity."

Osakoi perceived, that under these circumstances there was no alternative; and that even the least shadow of weakness would be the signal for his death; he, in appearance, exhibited courage, which, in reality, he was not possessed of.

It was agreed on among the conspirators, at their breaking up, that the next day they should assemble again at the same hour; and, for the greater security, Osakoi and the slave were to return to the inn by a different route.

Osakoi had scarcely gone thirty steps, when he found himself accompanied by a Russian, who begged leave to follow him, and believing him to be one of the conspirators, he permitted him to go along with him. Having arrived at a little stair-case, which they passed with much difficulty, they stopped in a small champer, the door of which the Russian instantly shut.

"Be not surprised," says the Russian to him "at my acting in this manner with you, as what I have to say to you, requires the greatest secrecy. I, as well as you, have come out of that assembly, where the death of the Czar has been conspired. As well as yourself, this is the first night that I could procure admittance among them, and

a desire of vengeance excites me to become the irreconcileable enemy of my sovereign. If his blood is due to those cruelties with which they reproach him. For, in short, what are those conspirators? Guilty subjects, covered with crimes, and who have concealed themselves from the rigour of the laws; robbers who breathe nothing but murder, plunder, and pillage; and who are their accomplices? The first men in the state, they say, and they have not ventured to mention one of them! Then, could they even accomplish their design, what man would debase himself by associating with such a banditti? And what means have they disclosed to us of being able to accomplish it? For whom do we labour? For whom do we risque our lives? The project, the means, the resources, nothing of these is known to us; and still they wish us to become the blind instruments of such an enterprise! These, young Osakoi, are my doubts and my fears respecting that assembly. The conspirators have named you their chief; I subscribe to their choice; but, lead me clearly into this mystery, and I assure you of my assistance."

A heart which nature alone had formed, which chance had removed from the intrigues of the city, and poison of courts, of consequence, incapable of treason, could not possibly suppose that he wished to impose on him. Osakoi was stuck with the confidence which the Russian reposed in him, and this confidence emboldened him to disclose his whole sentiments to him. "You might have remaked my surprise," says he to him, "in seeing me in the midst of such an assembly.—Content with my condition, knowing nothing beyond my village, troubled with no ambition, I enjoyed tranquility which nothing, until that period, had ever disturbed. They have watchd my eyes; they have told me, that I have a father to avenge, and, in order to avenge him, I must assasinate the emperor. But have I known this father? Do I know whether he was innocent or guilty? and, in this doubt, they wish me to murder my master! These maxims, I declare, are repugnant to my natural disposition. For, who am I that I should take upon me to judge my emperor? What right, what authority has heaven given me to punish him? That proposition puts me distracted! but the fear of death destroyed my answer on my lips. Since now you have opened to me your heart, read that which passes in mine. I detest a crime, and particularly one of that nature! A voice within me cries, *Love and respect your sovereign!* Have pity then on my youth; I give myself up to your counsel; preserve me from the fury of these barbarians, who have chosen me for the executioner of their master and mine. For if I must either perish, or attempt the life of the Czar, I prefer dying innocent."

You shall not die, my child, replied the Russian, it is the Czar himself that addresses you, and who will certainly recompense the noble candour of your sentiments.

It was, in fact the monarch himself, who, under the disguise of a slave, had listened to a part of the conspiracy in the inn. That discovery had suggested to him the idea of visiting the assembly, where they were to have conspired his destruction. He had the boldness of going there, and mixing with the guilty. He had observed Osakoi confused in these answers, and had resolved to save him, provided he was not absolutely culpable.

Those who look on this relation as a romance, are little acquainted with the life of Peter the Great, which was full of incidents of this nature.

This prince, born to be the modeller of his country, and who wished to see every thing himself, frequently disguised himself, and found meaes of introducing himself into these private assemblies, where the most shameful intemperance renders the tongue incapable of keeping a secret; and to that activity alone, notwithstanding its danger, was he indebted for the discovery of twenty plots formed against his life. The people also, who both feared and respected him, often said, *The emperor listens to us, let us conduct ourselves like honest men.*

THE LITERARY REVIEW.

No. II.

HISTORY, POLITICS, MEMOIRS, &c.

Letters containing a Sketch of the Politics of France, from the 31st May, 1793, to the 28th July, 1794, and of the Scenes which have passed in the prisons of Paris. By Helen Maria Williams, 2 *Vols.* 12*mo.* Robinsons, 7*s.*

IN these letters, written by the celebrated Miss Williams, to some *dear sir*, real or imaginary, the author purposes to give "a sketch of the scenes which have passed in Paris, since the 2d of June, an epocha to be for ever deplored by the friends of liberty, which seated a vulgar and sanguinary despot on the ruins of a throne, till the memorable 28th July 1794, when liberty, bleeding with a thousand wounds, revived once more."

In the perusal of these letters, it is necessary the reader should keep constantly in his mind, that the writer is a staunch republican, and zealously attached to the Brissotines, with most of whom she appears to have been in habits of intimacy, and strict personal friendship.

Her narrative commences at the period when all passports to leave the country were refused, and the arrestation of the English residing in France was decreed by the convention. Most of the particulars contained in these volumes, except those which relate personally to the author, were presented to us in the public prints, at the time they occured, and did not fail to produce all the emotions of horror, grief, and indignation, which the relation of such atrocities is capable of inspiring; but when we meet them collected in a strong point of view, and described in a very animated manner, by an eye witness, a personal sufferer, and a political adversary to the persons who occasioned them, those sensations are more powerfully excited; we pity the wretched inhabitants of a country subject to a revolutionary government, where men were committed to prison and sent to the guillotine, on *suspicion of being suspected*; and glory in the justice of our laws, and the humanity of the dispensers of them, whose temperance and moderation, ever leading them to befriend the prisoner at the bar, makes us read with horror and astonishment of juries, who on merely hearing of the names of prisoners, felt themselves justified, in declaring they were *sufficiently instructed*, and dooming them to death unheard.

The volumes before us contain some valuable details for the future composers of history, and a useful and ever memorable lesson for those who feel inclined to dabble in reforms, and run the risque of disorganizing a government, to place power in the hands of an ignorant, assuming, sanguinary dictator.

Miss Williams's style is in a considerable degree liable to the charge of affectation; it is sufficiently pure, grammatical (except now and then a gallicism), and often exhibits a considerable share of energy and pathos; but the rage of displaying her reading by quotations, of thinking peculiarly, expressing her thoughts with a singular grace, and giving them an extraordinary polish, often excites in us a smile, *which does not proceed from admiration.* In the first two or three of her letters, for example, we have Shakespeare, Sterne, Akenside, Ossian, Mr. Burke, Dr. Johnson, and the Holy Bible, in profusion; besides other authors whom we have omitted to enumerate, and now and then a French phrase or two to enliven and give a little contrast.

The following account of Charlotte Corday contains many beauties, but there is something so very nearly approaching to burlesque in the concluding observation, that it is difficult to restrain a smile in reading it.

"After this first preacher of blood (Marat) had performed the part allotted to him in the plan of evil, he was confined to his chamber by a lingering disease to which he was subject, and of which he would probably soon have died. But he was assassinated in his bath by a young woman who had travelled with

this intention from Caen in Normandy. Charlotte Anne Marie Corday was a native of St. Saturnin in the department of the Orne. She appears to have lived in a state of literary retirement with her father, and by the study of antient and modern historians to have imbibed a strong attachment to liberty. She had been accustomed to assimilate certain periods of antient history with the events that were passing before her, and was probably excited by the examples of antiquity to the commission of a deed, which she believed with fond enthusiasm would deliver and save her country.

"Being at Caen when the citizens of the department were enrolling themselves to march to the relief of the convention, the animation with which she saw them devoting their lives to their country, led her to execute, without delay, the project she had formed. Under pretence of going home, she came to Paris, and the third day after her arrival obtained admission to Marat. She had invented a story to deceive him; and when he promised her that all the promoters of the insurrection in the departments should be sent to the guillotine, she drew out a knife which she had purchased for the occasion, and plunged it into his breast.

"She was immediately apprehended, and conducted to the Abbaye prison, from which she was transferred to the Conciergerie, and brought before the revolutionary tribunal.

"She acknowledged the deed, and justified it by asserting that it was a duty she owed her country and mankind to rid the world of a monster whose sanguinary doctrines were framed to involve the country in anarchy and civil war, and asserted her right to put Marat to death as a convict already condemned by the public opinion. She trusted that her example would inspire the people with that energy which had been at all times the distinguished characteristic of republicans; and which she defined to be that devotedness to our country which renders life of little comparative estimation.

"Her deportment during the trial was modest and dignified. There was so engaging a softness in her countenance, that it was difficult to conceive how she could have armed herself with sufficient intrepidity to execute the deed. Her answers to the interrogatories of the court were full of point and energy. She sometimes surprised the audience by her wit, and excited their admiration by her eloquence. Her face sometimes beamed with sublimity, and was sometimes covered with smiles. At the close of her trial she took three letters from her bosom, and presented them to the judges, and requested they might be forwarded to the persons to whom they were addressed. Two were written to Barbaroux, in which with great ease and spirit she relates her adventures from her leaving Caen to the morning of her trial. The other was an affectionate and solemn adieu to her father. She retired while the jury deliberated on their verdict; and when she again entered the tribunal there was a majestic solemnity in her demeanour which perfectly became her situation. She heard her sentence with attention and composure; and after conversing for a few minutes with her counsel and a friend of mine who had sat near her during the trial, and whom she requested to discharge some trifling debts she had incurred in the prison, she left the court with the same serenity, and prepared herself for the last scene.

"She had concluded her letter to her father with this verse of Corneille,

"C'est le crime qui fait la honte, et non pas l'echafaud."

and it is difficult to conceive the kind of heroism which she displayed in the way to execution. The women who were called furies of the guillotine, and who had assembled to insult her on leaving the prison, were awed into silence by her demeanour, while some of the spectators uncovered their heads before her, and others gave loud tokens of applause. There was such an air of chastened exultation thrown over her countenance, that she inspired sentiments of love rather than sensations of pity*. She as-

* She excited in this interesting situation a very strong and singular passion in a young man of the name of Adam Lux, a commissary from Mayence. He accidentally crossed the street she was passing in her way to execution, and became instantly enamoured not of her only, but, what was more extraordinary, of the guillotine. He published a few days after a pamphlet, in which he proposed raising a statue to her honour, and inscri-

cended the scaffold with undaunted firmness, and, knowing that she had only to die, was resolved to die with dignity. She had learned from her jailor the mode of punishment, but was not instructed in the detail; and when the executioner attempted to tie her feet to the plank, she resisted, from an apprehension that he had been ordered to insult her; but on his explaining himself she submitted with a smile. When he took off her handkerchief, the moment before she bent under the fatal stroke, she blushed deeply; and her head, which was held up to the multitude the moment after, exhibited this last impression of offended modesty."

We cannot present to our readers a more favourable specimen of the author's eloquence than the following extract, which so elegantly describes the triumphs of heroic virtue, that it ought to live in every heart.

"This extraordinary epocha called forth the lights and shades of the human character in all their strongest colouring. The last excesses of ferocious crimes were contrasted by the sublime enthusiasm of the virtuous affections, shedding their sweetness like solitary flowers over the wilderness where serpents hiss, and beasts of the forests howl; and by the noblest efforts of heroical philanthropy bidding us cease to despair of humanity, and converting the throb of indignant horror into the glow of sympathetic admiration:—bidding us turn from the tribunal of blood, from Robespierre and his jury of assassins, to Loiserolles dying for his child; to madame Berenger, led in the bloom of life to execution with her parents, and, altogether forgetful of herself, seeking only to support the sinking spirits of her mother;—to mad. Bousquet, the sister-in-law of Guadet, scorning the impious laws which punished humanity with death, affording shelter to her proscribed friends, and dying with them on the scaffold for having done so."

Our limits will not now allow us to do more than present our readers with a few extracts, descriptive of the circumstances which attended the destruction of several persons, on whom the eye of curiosity has been fixed during the progress of this wonderful revolution: these will be the queen, the Brissotine deputies, the virtuous and accomplished madame Roland, and the infamous Egalité. We regret that its length obliges us to omit the trial and death of madame Elizabeth, but we earnestly recommend an attentive perusal of it to every reader who possesses a heart to sympathise in the fate of suffering virtue and innocence.

"For a long time the Jacobins had demanded the trial of Marie Antoinette, whose existence they declared endangered that of the republic. She was accordingly arraigned for having committed a series of crimes, which in the language of the indictment comprehended not merely counter-revolutionary projects, but all the enormities of the Messalinas, Brunehauts, Fredegondes, and Medicis. A curious account of the evidence in support of these charges, and the effect which her behaviour produced upon Robespierre, is given by Vilate, a young man of the revolutionary tribunal. The scene passed during the trial, at a tavern near the Tuilleries, where he was invited to dine with Robespierre, Barrere, and St. Just. 'Seated around the table,' he says, 'in a close and retired room, they asked me to give them some leading features of the evidence on the trial of the Austrian. I did not forget that expostulation of insulted nature when Hebert accusing Antoinette of having committed the most shocking crime, she turned with dignity towards the audience, and said, 'I appeal to the conscience and feelings of every mother present, to declare if there be one amonst them who does not shudder at the idea of such horrors.' Robespierre, struck with this answer as by an electrical stroke, broke his plate with his fork. 'That blockhead He-

bing on the pedestal "*Greater than Brutus*," and invoked her shade wandering through Elysium with those glorious personages who had devoted themselves for their country. He was sent to the prison of the Force, where a friend of mine often saw him, and where he talked of nothing to him but of Charlotte Corday and the guillotine; which, since she had perished, appeared to him transformed into an altar, on which he would consider it as a privilege to be sacrificed, and was only solicitous to receive the stroke of death from the identical instrument by which she had suffered. A few weeks after his imprisonment he was executed as a counter-revolutionist.

bert!" cried he, "as if it were not enough that she was really a Messalina, he must make her an Agrippina also, and furnish her with the triumph of exciting the sympathy of the public in her last moments."

"Marie Antoinette made no defence, and called no witnesses, alleging that no positive fact had been produced against her. She had preserved an uniform behaviour during the whole of her trial, except when a starting tear accompanied her answer to Hebert. She was condemned about four in the morning, and heard her sentence with composure.—But her firmness forsook her in the way from the court to her dungeon—she burst into tears; when, as if ashamed of this weakness, she observed to her guards, that though she wept at that moment, they should see her go to the scaffold without shedding a tear.

"In her way to execution, where she was taken after the accustomed manner in a cart, with her hands tied behind her, she paid little attention to the priest who attended her, and still less to the surrounding multitude. Her eyes, though bent on vacancy, did not conceal the emotion that was labouring at her heart—her cheeks were sometimes in a singular manner streaked with red, and sometimes overspread with deadly paleness; but her general look was that of indignant sorrow. She reached the place of execution about noon; and when she turned her eyes towards the gardens and the palace, she became visibly agitated. She ascended the scaffold with precipitation, and her head was, in a moment, held up to the people by the executioner."

"The trial of Marie Antoinette was followed by that of the accused deputies. Although those guardians of the public weal, the Jacobins, had repeatedly urged the convention to bring forward their trial, it had been long delayed from the difficulty of finding any proofs that wore the appearance of probability; and it remained long undecided what should be the charges, and who should be the victims. The substance of the accusation was at length founded on a sort of sportive party romance written by Camille Desmoulins on Brissot and the Brissotins; and what was meant by the author merely to excite a laugh, was distorted to serve this horrible purpose, Camille, it is said, remonstrated loudly on this perversion of his intentions, and disclaimed any participation in the guilt. He declared that the charges were only extravagancies of his own imagination, and that he could not support any of them by evidence. This remonstrance was ineffectual, and the romance formed part of the indictment, which was filled up with charges of royalism and federalism; which being presented to the assembly for their sanction, the decree of accusation passed without a discussion.

"The witnesses in support of the charges consisted principally of the chiefs of the municipality of Paris, who were the original accusers. But the defence which the prisoners made was so entirely destructive of the accusation, that though the judges and the jury had bound up their nature to this execrable deed; though the audience, like the tribunes of the Jacobins and the convention, were hired to applaud this crime, the eloquence of the accused drew iron tears down their cheeks, and convinced the whole tribunal of the infamy and falsehood of the charges.—Imagine the remorse with which the minds of the jury must have been wrung, when their employment compelled them to dress out matter for condemnation from the absurd and lying fables of the conspirators, who were called as witnesses to the indictment; while, to the demonstration even of the most perverse and ignorant, the prisoners refuted every charge with triumph on their accusers; and if any suspicion had existed with respect to their patriotism or love of the republic, the prosecusion would have served to dispel it.

"The judges, as well as the jury, although determined to execute their atrocious commission, saw that the defence of the prisoners would carry conviction to the minds of the audience, who, notwithstanding their being hired by the accusers, began to shew signs of compassion. The court, therefore, wrote to the convention to inform them, that if the trials were permitted to proceed, the formalities of the law would reduce them to extreme difficulties; and observed, that in a revolutionary process it was not necessary to be incumbered with troublesome witnesses, or a long defence. This humane epistle was supported by a deputation of the jacobins, who spoke a still plainer language, by demanding a decree, that

the accused should be condemned whenever the jury should feel themselves 'sufficiently instructed,' without attending to the whole of the charge, or hearing what the prisoners might have to allege in their defence. To this measure the society was urged by the municipal witnesses, who were stung with shame at seeing their perjuries unveiled.

"The decree, empowering the jury to stop the prosecution at whatever period they thought proper, was virtually pronouncing the sentence of death: and the tribunal, releasing themselves from the torture they were compelled to suffer, while their consciences were every hour more and more loaded with the conviction of the innocence of the victims whose judicial murder they were bound to perpetrate, lost no time in declaring that they were sufficiently instructed.

"Alas! in what were 'they sufficiently instructed?' That the men they were going to condemn, were those who were the most distinguished for talents, and most devoted to the establishment of the republic, of which they were the founders. Were not this sanguinary jury sufficiently instructed, that it was for their virtues, and not their crimes, that these victims had been dragged before them? and yet, with all this conviction on their minds, they cooly commanded the murder.

"This atrocious condemnation was remonstrated against by the prisoners in vain. In vain they alledged, that against some of them no evidence whatever had been heard; that their names had scarcely been mentioned at the tribunal; and that, whatever pretence the jury might have for calling themselves sufficiently instructed respecting the rest, they could not be informed of the crimes of those against whom no witnesses had appeared.—The court, sheltering themselves under the sanction of a decree, were little inclined to give the reasons of their conviction; and, therefore, replied to the arguments of the prisoners, by ordering the military force to take them from the tribunal. Valazé, in a transport of indignation, stabbed himself before the court. Brissot, Vergniaud, Gensonné, La Source, Fonfrede, Sillery, Ducos, Carra, Duperret, Gardien, Duprat, Fauchet, Beauvais, Duchastel, Mainvielle, La Caze, Le Hardy, Boileau, Anteboul, and Vigée, were led to execution on the following day. Vergniaud, having a presage of his impending fate, had early provided himself with poison; but finding that his young friends Fonfrede and Ducos, who he had some hope would be spared, were companions of his misfortune, he gave the phial to the officer of the guard, resolving to wait the apppointed moment, and to perish with them.

"They met their fate with all the calm of innocence, and breathed their last vows for the safety and liberty of the republic. Those who were the melancholy witnesses of their last hours in prison, love to relate how they spoke, and felt, and acted. I have been told by one who was their fellow prisoner and friend, that their minds were in such a state of elevation, that no one could approach them with the common-place and ordinary topics of consolation.—Brissot was serious and thoughtful, and at times an air of discontent clouded his brow; but it was evident that he mourned over the fate of his country and not his own. Gensonné, firm and self-collected, seemed fearful of sullying his lips by mentioning the names of his murderers. He did not utter a word respecting his own situation, but made many observations on the state of the republic, and expressed his ardent wishes for its happiness.—Vergniaud was sometimes serious, and sometimes gay. He amused his fellow prisoners at times with the recital of poetry which he retained in his memory, and sometimes indulged them with the last touches of that sublime eloquence which was now for ever lost to the world. Fonfrede and Ducos relieved the sombre of the piece by the habitual liveliness of their characters, although each lamented the fate of his brother to their respective friends, and sometimes shed tears over the distress and ruin of their wives and children; for both had young families and immense fortunes. Their courage was the more exemplary, as their fate was altogether unexpected.

"They were condemned at midnight. When they returned to their prison, they gave the appointed signal of their fate to their fellow prisoners, whose seclusion afforded them no other means of knowing it, by singing a para-

dy of the chorus of the Marseillois hymn—

> Contre nous de la tyrannie
> L'étandard sanglant est levé.

"After spending the few hours of life that remained, in conversation, now and then enlivened by the sallies of the young and gay amongst them, they bade adieu to their fellow-prisoners, whose minds were so raised by the heroism which these patriots displayed, that it was some time before they became sensible of their loss.

"The dungeon which they inhabited was shewn with profound veneration to every prisoner who afterwards arrived at this preparatory scene of murder. A superstitious respect was paid to the miserable matrass of Vergniaud; and those who felt neither the force of their patriotism, nor shared in their love for their country, were taught to pronounce with religious awe the names of these martyrs of liberty."

"At this period one of the most accomplished women that France has produced perished on the scaffold.—This lady was madame Roland, the wife of the late minister. On the 31st of May he had fled from his prosecutors, and his wife, who remained, was carried to prison. The wits observed on this occasion, that the body of Roland was missing, but that he had left his soul behind. Madame Roland was, indeed, possessed of the most distinguished talents, and a mind highly cultivated by the study of literature. I had been acquainted with her since I first came to France, and had always observed in her conversation the most ardent attachment of liberty and the most enlarged sentiments of philanthropy; sentiments which she developed with an eloquence peculiar to herself, with a flow and power of expression which gave new graces and new energy to the French language.—with these extraordinary endowments of mind she united all the warmth of a feeling heart, and all the charms of the most elegant manners. She was tall and well shaped; her air was dignified, and although more than thirty-five years of age she was still handsome.—her countenance had an expression of uncommon sweetness, and her full dark eyes beamed with the brightest rays of intelligence. I visited her in the prison of St. Pelagie, where her soul, superior to circumstances, retained its accustomed serenity, and she conversed with the same animated cheerfulness in her little cell as she used to do in the hotel of the minister. She had provided herself with a few books, and I found her reading Plutarch. She told me she expected to die; and the look of placid resignation with which she spoke of it, convinced me that she was prepared to meet death with a firmness worthy of her exalted character. When I enquired after her daughter, an only child of thirteen years of age, she burst into tears; and at the overwhelming recollection of her husband and her child, the courage of the victim of liberty was lost, in the feelings of the wife and the mother.

"Immediately after the murder of the Gironde, she was sent to the Conciergerie, like them to undergo the mockery of a trial, and like them to perish. When brought before the revolutionary tribunal, she preserved the most heroical firmness, though she was treated with such barbarity, and insulted by questions so injurious to her honour, that sometimes the tears of indignation started from her eyes. This celebrated woman, who at the bar of the national convention had by the commanding graces of her eloquence forced even from her enemies the tribute of applause and admiration, was now in the hands of vulgar wretches, by whom her fine talents, far from being appreciated, were not even understood.

"On the day of her trial she dressed herself in white: her long dark hair flowed loosely to her waist, and her figure would have softened any hearts less ferocious than those of her judges. On her way to the scaffold she was not only composed, but sometimes assumed an air of gaiety, in order to encourage a person who was condemned to die at the same time, but who was not armed with the same fortitude.

"When more than one person is led at the same time to execution, since they can suffer only in succession, those who are reserved to the last are condemned to feel multiplied deaths at the sound of the falling instrument, and the sight of the bloody scaffold. To be the first victim was, therefore, considered as a privilege, and had been allowed to Madame Roland as a woman. But when she observed the dismay of

her companion, she said to him, "Allez le premier: que je vous épargne au moins la douleur de voir couler mon sang*." She then turned to the executioner, and begged that this sad indulgence might be granted to her fellow sufferer. The executioner told her that he had received orders that she should perish first. 'But you cannot, I am sure,' said she with a smile, 'refuse the last request of a lady.' The executioner complied with her demand. When she mounted the scaffold, and was tied to the fatal plank, she lifted up her eyes to the statue of liberty, near which the guillotine was placed, and exclaimed, 'Ah liberté, comme on t'a jouée †!' The next moment she perished. But her name will be recorded in the annals of history, as one of those illustrious women whose superior attainments seem fitted to exalt her sex in the scale of being.

"She had predicted that her husband would not survive her loss, and her prediction was fulfilled. Roland, who had concealed himself till this period, no sooner heard the fate of his wife, whose influence over his mind had often been a subject of reproach amongst his enemies, than, feeling that life was no longer worth possessing, he put an end to his existence. His body was found in a wood near the high-road between Paris and Rouen: the papers which were in his pocket-book were sent to the committee of general safety, and have never seen the light. His unhappy daughter found an asylum with an old friend of her proscribed parents, who had the courage to receive her at a period when it was imminently dangerous to afford her protection.—But the time probably now draws near when this child will be adopted by her country, and an honourable provision will be made for her, as a testimony of national gratitude towards those who gave her birth."

"One of the few instances of fortitude in death exemplified by persons who had neither the consciousness of innocence nor the sentiment of sympathy to sooth their minds in so severe a trial, was that of the former duke of Orleans, in whose life nothing was worthy of applause except his manner of leaving it. The remembrance of the vote he had given against his unfortunate relation Lewis XVI. from motives of personal vengeance and ambition, could not but gnaw upon his heart, and depress his spirit, and must have been mingled not only with a feeling of indignation against the wretches who made him suffer upon false pretences, but with all the anguish of remorse for having joined their party; by which act of debasement he had incurred not only guilt, but its speedy punishment. Yet, notwithstanding, such reflections could not fail to embitter his last moments, he went to execution with a calm dignity worthy of a better mind. Nor did he gratify the populace by betraying any emotion when the cart in which he was placed stopped for ten minutes before the gate of the palais-royal, the scene of a life of luxurious pleasures. He looked at the building with apparent unconcern; and whatever pangs of recollection might struggle at his heart, his behaviour expressed no sentiment but that of magnanimity till he expired."

In these letters will be found a more true account of the dress, manners, propensities, and vices of those disgraces and scourges of human nature, the jacobins, than we have a right to look for in any work which will for a long time reach this country. We recommend it as a valuable and interesting picture, it deserves a place in the cabinet of the historian, and no collection ought to be without it. We shall close these extracts with the following, at reading which we cannot help, like persons waking from a frightful dream, feeling relieved from great mental agony, and congratulating ourselves on the safety we enjoy.

"Two days after this festival in honour of the Supreme Being, Robespierre, the scourge of his creatures, compelled the enslaved convention to pass a law, which permitted the revolutionary jury to condemn those who were brought before them, from their own internal conviction, without any proof whatever, or hearing any witnesses; and which also suppressed the superfluous office of official defender, or counsel; a privilege that Couthon, who made the report in the name of the committee of public safety, asserted

* "Go first: let me at least spare you the pain of seeing my blood shed."
† "Ah liberty! how hast thou been sported with!"

conspirators by no means deserved *. In other words, the jury were now authorized to pass sentence without even the forms of a trial. From this period, till the fall of Robespierre, all the judicial solemnities of the revolutionary tribunal consisted in reading over the names of the accused, who were immediately after declared by the jury to be guilty of a conspiracy against the safety of the French people, and the indivisibility of the French republic.

"If any of the unhappy persons thus proscribed attempted to speak in their defence, they were thus silenced by the president: 'Tu n'a pas la parole † ;' and if they persisted in declaring their innocence, they were put what was called 'hors de debats;' that is, ordered immediately out of the court, condemned in their absence, and sent to execution. 'I was not in prison when this conspiracy took place,' cried the viscountess de Noailles, madame de la Fayette's sister. 'But you would have been in the conspiracy if you *had* been there,' answered the president; and this unfortunate lady mother of three children, perished with her own mother and grandmother!!!

Dissertation on first Principles of Government. By Thomas Paine. *Author of Common Sense, &c.* Paris, printed: London, reprinted for V. Griffiths. 8vo. pages 39. 1s.

This dissertation was produced by the publication of the *last* new French constitution, which containing in the chapter on the political state of citizens, some restrictions on the right of electing representatives, which Mr. Paine thought incompatible with the general *rights of man*, he has entered his protest in this manner. As we have in the preceding part of this work given a very copious extract from this pamphlet, we shall, in the course of this critique, refer to that instead of making the extracts anew.

We perfectly agree in the mode of reasoning adopted by Mr. Paine, that in order to ascertain the extent of grievances, and provide effectually for their remedy, first principles ought to be resorted to; such recurrence enables legislators to provide more effectually against the revival of abuses, than any other method, which can be suggested; nor will it ever be avoided but to favour the cowardice of usurpation, and gloss over imaginary rights incompatible with the general good. That government whose fundamental principles are few, explicit, and easily and frequently recurred to, must produce most felicity to its subjects, and most respectability to those concerned in the legislative and executive parts of it; it must possess with the simplicity of infancy, the vigour of maturity.

But though we are perfectly satisfied with the manner in which he takes his ground, we are far from joining with him, or feeling at all convinced by the arguments he uses on some topics.—Had he, when addressing himself to the legislators of France, about to form a system of government, confined himself to those speculative topics, to those mere metaphysical arguments—which would have produced every useful end which could possibly result to them from his labours, we had said little on his pamphlet, but as he has not had forbearance enough to leave alone the system of this country, which was not in the least involved in the question, we shall devote more of our time to the analysing of his ideas than we should else have done.

Mr. Paine, having thoroughly heated his mind with the subject, can never forbear an invective against hereditary monarchy. In France, at the present moment, one would naturally suppose any such invective completely unnecessary—yet one of the component parts of the work before us, is an examination into the fitness, or rather an effort to demonstrate that "every defect *serious* or laughable *unite* to hold up the hereditary system as a figure of *ridicule*."

He says, "There is not a problem in Euclid more mathematically true, than that hereditary government has *not a right to exist*. When, therefore,

* Amidst the definitions of aristocracy, when the law passed against suspected people, Couthon ingeniously observed, that any good citizen was authorised to arrest every man in the street as an aristocrate, who held his head too much up, or too much down, and also all those who looked on one side, instead of looking you in the face.

† "It is not your turn to speak."

we take away from any man the exercise of hereditary power, we take away that which he never had the right to possess, and which no law or custom could, or ever can give him a title to."

Mr. Paine then goes into an argument to prove what, we apprehend, no one will deny, that no man, or family had a right to set *itself up at first to govern a nation*; and that if it had no right at first, it could not by length of usurpation acquire a right. Little reasoning is necessary to maintain positions so clear and universally granted, they are mere *truisms*, the mere alphabet of politics.' But what he proceeds to assert and infer on the subject of hereditary government, deserves a little more consideration.

"As hereditary government," &c. [Vide page 81.

This reasoning is further elucidated by a long quotation from the first part of the *rights of man*, which we cannot give at length, but the following is the most forcible point of it.

"The generation which first selects a person and puts him at the head of its government, either with the title of king, or any other nominal distinction, acts its own choice, as a free agent for itself, be that choice, wise or foolish.—The person so set up is *not hereditary*, but selected and appointed; and the generation which sets him up does not live under an hereditary government, but under a government of its own choice. Were the person so set up, and the generation who sets him up, to live for ever, it never could become hereditary succession, and of consequence, hereditary succession could only follow on the death of the first parties."

To illustrate these remarks, the following instance is given:

"The history of the English," &c. [Vide page 82.

On this subject so unnecessarily and triumphantly introduced, we have to remark the extreme narrowness, and mere verbal preciseness of the argument on which it depends; we need not be informed that the legislature of one day cannot bind the hands of succeeding generations, the attempt would meet the scorn of every sober mind; but certainly it is in the power of the representatives of any nation, speaking the sense of that nation, to give permanence to a government, or governors of their own electing, by declaring on what terms they and their successors will receive them, in doing this, they, as far as they can, answer for posterity; they make an engagement for them, in which as they first experimentally hazard their own happiness, and as the benefits are to be reciprocal between the ruler and the ruled, there can be no suspicion that fraud, or any dishonest motive enters into the compact; but they take away none of the powers of their progeny as men, they do not affect to bargain them over as property, and to compel them to adhere to the terms of the bargain on their parts, though violence should characterize the other contracting party, and though a succeeding generation should descry nothing but infelicity to themselves and their posterity by adhering to it. In a word, they do no more than make as prudent a contract as they can, for the blessings of a regular government for themselves, and attempt, by such means as they possess, to ensure their continuance to those who are to succeed them; but they do not affect to abridge or defeat the minutest article of the *rights of man*, the attempt would be vain and futile, they might as well endeavour to weaken the energies of intellect, or diminish the bulk of the human fabric.

The argument of the state of minors in existence at the time legislators are forming a government, and who may possibly, when they come of age, dissent from what has been done, is extremely weak and puerile. It is not true that minors have not their operative weight in legislation, they have all of them the tenderest of claims on innumerable relatives, who have the power both of election and representation, and their well being is an object of the utmost importance, and a topic of most frequent consideration to every legislature. The state of society is such, that we have not at the æra of seven, or fourteen years, an influx of a new shoal of minors, just come to maturity; but every day adds its few to the stock of adults, and takes away from the list of the aged. The new race incorporate with their seniors, and walk regularly on in the path of life, till they become old, with a still increasing generation around them.—Few people legislate for posterity

without having some tolerable chance of seeing the fruit of their cares gathered by a race, who were only in contemplation as capable of existence, at the time they were so employed; and we are not to suppose any man, or set of men, so profligate, and unfeeling, as to see that they have forfeited their own happiness, and entailed misery on an innocent posterity, yet calmly acquiesce in the evils they have caused, and acknowledge they have shut the gate of redress for ever. Such, surely, would not have been the conduct of the patriots who expelled the Stuarts.

It seems to be admitted that those who called William and Mary to the throne had a right to seat them there for their own lives at least? but surely all national dignity is forfeited, all idea of fairness in a bargain must vanish, if they could not confer that dignity for the life of the monarch. Nothing can be more indefinite than the term of the life of the electors. Society never stands still, never dies, never diminishes; but what equivalent could they think they offered to a man, whom they drew, say for example, from retirement, or from disgrace, were they to tell him we will make you a king *durante bene placito*. To give efficiency to a contract made by a nation, to enable them to benefit by it, it must be beneficial to the other party, and leave him no room to justify wrong by recrimination, but surely that would not be the case, could we, for a moment, entertain an idea of a king called to reign on such terms.

If he is to reign for life, all that can be said about the dissent of minors, and much of what has been asserted of the ensuing generation vanishes; for that term may be protracted, till children, unborn at the time, may have become grey headed.

All that remains to be said then, is about the succession, and this has been so often and so ably handled, that we need not again discuss it, indeed, the expediency of hereditary succession, hardly requires to be strenuously defended against a man who avers that its *serious and laughable* defects unite to hold it up to ridicule. The question seems to be—whether the lawmakers who called over William and Mary, had a right to declare the succession? This, without hesitation, we aver they had;—meaning still to be understood in the same limited sense as before, and with the same submission to the will of the people at large, who surely have a right, at any time, to alter their government in any particular they think it oppressive.—They acted wisely in not leaving the question of future government open to those frequent discussions, which must ever disorganize a nation; and leaving to their kings no necessity for that low intrigue, and littleness of solicitation, which must ever attend a disputed succession; but they did not, they could not, do away the controuling power of the majesty of the people. All they have done, all they could do, is to have made a law declaring a certain thing; while that law exists, the right created by it exists also, but when necessity, and the sovereign will of the people, require the alteration, or abrogation of that law, it falls to pieces as every other regulation must, to which the people and their representatives, determine no longer to pay any attention.

We now come to that part of the work which more immediately relates to the occasion which produced it, namely, *representative government*. In discussing this point, Mr. Paine advances little novelty, he is the advocate of universal suffrage, without any respect to property; a most monstrous proposition, the exact converse of that odious and ever abhorred system, *a poll tax*; for assuredly, in representation, or the power of levying taxes, property has some right to be considered, as well as it ought to be kept constantly in view, in the mode or necessity of paying them. On the qualification by property to elect a representative, Mr. Paine has a dilemma which contains some ingenuity, and drollery, to which, without a comment, we refer our readers.

"In any view of the case," &c.—[Vide page 83.

On the subject of aristocracy, we will not descend to notice an assertion made concerning its origin, so low, so false, so merely *ad captandum vulgus*, that it deserves no serious refutation. It may hold its place amongst the frothy declamations of ale-washed politicians, and be shouted into admiration by the uproar of the tap-room.

We have in consideration of the celebrity of the author, bestowed more attention on this work than its merits, either of style or argument would have obtained from us, had it come

from a less admired pen. In the style we discover all the negligence, and want of correctness, which are Mr. Paine's characteristics; in the argument, nothing of that originalty, depth, or force of thought, which have raised his reputation to an eminence so conspicuous.

DRAMA, POETRY, &c.

Zorinski. A play in three acts, as performed at the Theatre Royal, Haymarket. By Thomas Morton. *Author of Columbus, &c.* London, Longman, 8vo. Pages 73. 2s.

Having, in our last number, given an ample detail of the plot and general effect of this piece, as an acting play, we shall not pursue it into the closet, with further criticism. If we are not able to discern in it, when divested of the advantages of action, and beauties of decoration, so much merit as it appeared to many to possess in the moment of representation, we will not now make an ungracious attempt to dispel the illusion, or point out where its particular demerits lie. This forbearance proceeds not from any disposition on our part, to protect dulness, or gloss over the want of merit, we think the play possesses quite enough to justify the increasing partiality of the public, and that being our opinion, we will not enumerate the few forced conceits, and *clap-traps*, we discover in it, merely to gratify malevolence, or encourage less successful rivalry.

The subject of plagiarism, as applied to this play, has been much agitated; it is asserted that it is stolen from *Gustavus Vasa*. As this discovery did not originate with us, we will take no share in the argument, but leave those who started to hunt it down; for as we consider the piece, as it lies before us, to possess very considerable beauties, we will not examine too closely into the sources from which they are derived, or prejudice the decision of a question, from the discussion of which, as we were not the first who propounded it, little honour can result to us.

One monstrous indecorum, and direct violation of dramatic propriety, the offspring of modern licence, and not at all peculiar to Mr. Morton, we cannot here omit to notice, namely, the extreme folly of making the Jew, and the Irishman, in this play, speak the jargon of Duke's Place, and the brogue of Tipperary. If the king of Poland, and all his nobles, speak good English, there is little reason why the other characters should not; and if this absurdity gains ground, we shall not wonder, in a few years, to hear Shylock exclaim, "*tree tousand tucats ish a creat teal of monish!*"

New Hay at the Old Market; an Occasional Drama. In one act. Written by George Colman, the younger, *on opening the Haymarket Theatre on the 9th June,* 1795. London. Cadell and Davies. 8vo. Pages 32. 1s.

Why Mr. Colman has chosen to give this piece the name of a *Drama*, we confess ourselves at a loss to divine, for as it is nothing but a series of dialogues, without plot or connection, it might with equal propriety have been termed a pastoral, or any thing else which happened to hit the author's fancy; the only claim it has to be called *Drama*, arises from the accident of its being pronounced on the boards of a theatre.

The dialogue, however, is extremely sprightly, and abounds in that kind of joke, which never fails to take with all parts of the house, "pit, box, and gallery, egad." The characters have no claim to novelty, but their pleasantry is irresistible, and allowing a little for an author who affects to dramatize *the puff preliminary*, the piece has much merit.

A REVIEW OF THE DRAMA.

SINCE our last number we do not find any thing new to attract our attention in this department but a comic opera of two acts entitled WHO PAYS THE RECKONING? The bad reception it met with on its first appear-

ance, and it has not been since ventured on the boards a second time, renders the piece unworthy the trouble of an examination, especially as the reception it experienced was exactly commensurate to its merits.

We have often lamented, (and in the present instance we feel the same sensation) that the situation of a manager should be ever such as to make it almost impossible for him to refuse the introduction of a production to the public, that his own judgment condemns, and that he consequently considers as unfitting the attention of a London audience. A recommendation coming from a quarter the interest of which being of considerable consequence to the theatre, or an ardent wish on his part to serve a friend, may place him in the aukward and unpleasant situation we have described, and induce him to give his sanction to a performance that he is persuaded will be cooly received, if not consigned at once to the shades of oblivion.

We can easily persuade ourselves from the well known character of Mr. Colman, that motives of friendship led him to give his consent that, "*Who pays the reckoning?*" should be brought forward. This having been done and a fair trial given to the piece, more cannot be expected from this gentleman by the author. On the part of the town they will of course conclude, that he will never again permit its reappearance after the reception they have thought proper to give it, without first undergoing a complete revision, if by the manager himself the better, as we should then in all probability be indulged with a little of his own attic salt, of which the production before us is, at present, most miserably deficient.

ESSAY

ON THE LIFE AND CHARACTER OF

RICHARD BRINSLEY SHERIDAN, ESQ.

FEW subjects present themselves as topics of biography, who possess so many claims to the attention and admiration of the public, as the gentleman we have selected on the present occasion. Few men possess that energy of mind, that vigour of intellect, to which every thing gives way; which by its own efforts, without any sacrifice either of time or pleasure, has smoothed the road to fame and opulence, rectified the injustice of custom in the distribution of wealth and honours, and asserting its own irresistible claim to pre-eminence,

"Emicuit, summaque locum sibi legit in arce."

For three generations the family of Sheridan have been conspicuous in the annals of celebrity. His grandfather was the intimate friend and favourite of *Swift*, the companion of his leisure, the depositary of his confidence, and the imitator of his wit. His father was the corrector of the English accent, the guide of foreigners in the attainment of our language, and universally acknowledged the best declaimer of English of his day; he was a considerable time manager of the Dublin theatre, which the furious animosity of party obliged him to quit; but in London, both as an actor and lecturer, he found fame and profit enough to leave him little cause to regret his banishment from his native country. The mother of Mr. Sheridan had also a considerable literary reputation, derived from some plays, novels, and other works, which possess very great merit.

Mr. Sheridan was born at Quilca, near Dublin, about the year 1752; at the age of six years his father's affairs compelled him to leave Ireland, and he brought his son with him, who received his education at the celebrated seminary of Harrow, to which his abilities are an honour and an ornament. The circumstances in which his father was, did not permit him to finish his education at either of the universities; but having completed his studies at Harrow, he entered himself of the Middle Temple, and entertained an intention of being called to the bar.

Wycherley has observed, that Littleton and the Muses cannot reside in the same head; it cannot therefore be mat-

ter of surprize, that Mr. Sheridan, who was passionately addicted to the latter, should cultivate but little intimacy with the former; his proficiency in the study of the law was so inadequate to the expectation which might have been formed from the vigour of his mind, and strength of his understanding, that in time he was induced to consider the pursuit as desperate, and give up all pretensions to jurisprudential eminence. Similar failures in men who have afterwards been celebrated for the briliancy and eminence of their talents, have produced in the vain and the idle an opinion that the study of the law is degrading to a man of genius or lively imagination; but in this they err grievously: that some men, under the impulse of particular genius, have been discouraged at the drudgery of which dulness is capable, and have fled affrighted from the necessary introductory study, required to form an able lawyer, we are ready to admit: amongst these, we hear of Congreve, Colman, Sheridan, and some others; but we hear nothing of the numbers whom indolence, incapacity, irresolution, and the vanity of following such great examples, have led to a similar desertion, and whom obscurity and penury have taught to lament their error. In fact, the man who abandons the pursuit of a profession he has once elected, takes upon himself a most dangerous responsibility; if the event be not extremely favourable both to his fame and fortune, he incurs the censure of all the world, and can hardly escape the stings of self reproach; and with the instances the bar now presents, of the most vigorous and luminous minds, elevated to the summit of the profession, it can hardly be thought an honour to the intellect of those who desert this path to wealth and respectability: we repeat that they can only be justified by very important and brilliant successes, in the course of life they may adopt in its stead.

Literature was the first source of Mr. Sheridan's celebrity: he was the avowed author of some works even at a very early age, and many others were imputed to him, but with what justice we pretend not to decide. The greater part of his time was spent at Bath, where his heart became susceptible of the attractions of Miss Linley, daughter of Mr. Thomas Linley, the composer, who had crowned those gifts which nature, with a very lavish hand had bestowed on his daughter, with every advantage which can result from a thorough acquaintance with that science, whose attribute it is, "to soften rocks and bend the knotted oak:" her beauty and talents procured her the distinguishing title of the *Maid of Bath*.

[*To be continued in our next.*]

TRIAL OF HENRY REDHEAD, alias HENRY YORKE,

On the 23d inst. at nine o'clock in the morning, commenced before Mr. justice Rooke, the trial of Mr. Yorke, for a conspiracy, and uttering seditious words on the 7th of April, with Joseph Gales, Richard Davison, and others unknown. The following gentlemen composed the jury:

Francis Samuel Barlow, Esq. foreman.

T. Chatterton, Esq.	Mr. John Brown
Wm. Nelion, Esq.	Mr. Ty. Crowther
Benj. Agar, Esq.	Mr. Rich. Crosby
Mr. T. Brennand	Mr. T. Cowper, and
Mr. Rich. Bolderston	Mr. Wm. Meadley.
Mr. Rich. Vawser	

Mr. Law, on the part of the prosecution, observed, that the defendant, &c. were at an assembly of people, on the castle-hill, at Sheffield, where upwards of 400 persons were present; that they proposed, uttered, published, and read seditious and inflammatory speeches, resolutions, and writing against the commons house of parliament, and the government; that there had been many dangerous attempts within and without, to strip that house of its reverence; representing the people to be unlawfully oppressed and injured, and the parliament inattentive to the lawful wishes, desires, and petitions of the people; that Yorke, &c. had caused a motion to be made for a petition to the house of parliament, for a reform in the representation, with intent that it should be rejected at that meeting; that Henry Yorke said, "that the days of fanatacism were at an end; and he

trusted his countrymen being sick of religious aad political imposture, would command a melioration of enormous abuses and corruptions; that the governments of Europe were cheerless structures, and frightful abortions of haste and usurpation; that they were begotten by the hot inclement action of passions, that utility was not the end of their institution, and that these evils cried aloud for something more calculated for the happiness of men." And afterwards, "Citizens, (said he), teach your children the sacred lessons of virtue; teach them to love themselves and their country; to do unto all men as you would they should do unto you, and their love shall extend to the whole human race. When, by the incessant thundering from the press, the meanest cottager shall be enlightened, then shall the sun of reason shine in its full meridian over us. When such a revolution of sentiment shall prevail, then the commanding voice of the whole people shall recommend 558 gentlemen in St. Stephen's chapel to go about their business." And they read that it was the opinion of that meeting, that the people ought to demand, as a right, universal representation, therefore they would petition the house of commons no more on that subject. That on the same day Henry Yorke did utter a libel, pretending to be a petition to parliament for the emancipation of the negro slaves, as follows: "Wishing to be rid of the weight of oppression under which we groan, we are induced to compassionate those who groan also, and to desire an alleviation of their sufferings. On our own account we have repeatedly petitioned the lower house of parliament, but petitioned in vain. We are weary of the practice. We are disgusted to hear the hallowed name of liberty made the sport of corrupt placemen; and we are shocked to see, that in the practice of legislation, humanity is but a name." That on the 10th of April, 1794, Henry Yorke, and others, did publish a seditious pamphlet, entitled, "Proceedings of the public meeting held at Sheffield in the open air, on the 7th of April, 1794, with an address to the British nation, being an exposition to the motives which determined the people of Sheffield to petition the house of commons no more on the subject of parliamentary reform," in which they stated that their petition was received with the utmost indignation, and rejected because it was not couched in language sufficiently respectful, by a majority of 70 out of 108); that they thought their language sufficiently polite; and that were the members of the house of commons the real representatives of the people, they had a right to dictate and not to petition; and in another place it stated, that the British constitution is highly extolled as the greatest effort of human wisdom, and that so is the constitution of Turkey at Constantinople, but that these are prejudices, and that the long tyranny of prejudice was verging to a speedy termination. "If (continued Mr. Law) such abuses were permitted, no political society could exist. Individuals would not bear insult, and why should government be reviled, vilified and abused without resentment?"

William Broomhead was then called, who said that it was agreed in the committee held previous to the meeting on the 7th, that he should make the motion for a petition to the house of commons for a reform, which was to be negatived. He was not certain that Mr. Yorke was present in that committee; Mr. Yorke often harrangued for a reform, but always recommended peace and good order.

William Camage said, Mr. Yorke was president at the meeting on the 7th.

W. G. Frith was present at the meeting, and recollected Mr. Yorke had made such objectionable expressions as were published, and heard Mr. Y. say that the people by the bill of rights, had a right to arm themselves, and said, get arms; that though he (Mr. Y.) was but 22 years of age, he had assisted at three revolutions, had contributed to that of America, materially assisted that of Holland, essentially that of France, and would still continue to produce revolutions all over the world. That perhaps he might be sent to that bastile, the castle of York, and be hung in chains in that place, for what he had done, but that he should consider himself a martyr to the cause of liberty. He remembered Mr. Yorke said he was on his guard against spies and informers.

J. Gillott recollected the expression respecting the 558 gentlemen in St. Stephen's chapel.

M. Raikes repeated Mr. Yorke's

speech as published, and said Mr. Yorke's manner had made a strong impression on him.

Joseph Eyre said he had found pike handles at Widdeson's, four pikes at Moody's, two at Barber's, and one at Camage's.

George Widdeson said, he had made a dozen pikes for Mr Gales, and that he shewed Mr. Yorke one. He understood the reformers had been threatened, and that the pikes were made for them to defend themselves in case they found it necessary.

Henry Hill said he had made about 120 blades, and had waited on Mr. Yorke with one of them. On cross-examination, he said he believed Mr. Yorke knew not of pikes having been ordered. He thought the pikes were for self-defence.

Mr. Yorke, in a speech which lasted above two hours, defended himself from these charges. He contended that he had not vilified the constitution, but had constantly defended it against Thomas Paine, who had declared that we had none; that he had been influenced by the same motives as Mr. Pitt, the Duke of Richmond, &c. purely for a reform of parliament. He said, the prosecutors had not proved that it was by his contrivance the meeting was called, or the petition rejected; and affirmed, that he never uttered the expressions alledged against him. He reprobated the slave trade, and the suspension of the habeas corpus act, and made use of expressions which the judge curbed him in. He apologised, and declared himself a friend to reform and universal suffrage, and concluded with some observations on the hardships of his situation.

Wm. Clarke, Geo. Kent, Ed. Oakes, Ed. Smith, and Tho. Needham, all said Mr. Yorke was not in the committee room previous to the meeting, but then at 12 miles distance from Sheffield; and when informed of the notice for a meeting, he objected to it, on account of the shortness of the notice: that in the committee it was not agreed that the motion for a petiton to parliament should be made for the purpose of having it rejected. Their evidence tended to prove, that Mr Yorke's speech on the Castle-hill, was calculated to promote peace and good order; they believed no such violent expressions, as printed in the account, were uttered by him; and that he said not a word about arms, but that revolutions were to be dreaded, and expressed himself against levelling doctrines. Ebenezer Rhodes denied that the expressions imputed to Mr. Yorke by Frith were uttered.

The Rev. T. O. Warwick said he never was a member of any political association; heard Mr. Yorke on Castle-hill; and when he read the published account of the meeting, he was astonished at the dissimilarity between it, and that which was uttered. He declared, before God and his country, that Mr. Yorke did not utter the expressions imputed to him by Frith.

The Rev. Mr. Taylor corroborated the evidence of the Rev. Mr. Warwick.

Mr. Law made a very elaborate reply, and inferred from the rash expressions the defendant had made in his defence, he must be guilty.

The judge summed up the evidence; the jury then withdrew, and after an absence of near half an hour, brought in their verdict—Guilty.

Sentence will be given in the court of King's Bench next Michaelmas term. The prosecution upon the indictment for publishing the pamphlet is waved.

The REGISTER OF THE TIMES, we are proud to say, has been selected from among all other periodical publications for the accuracy it has uniformly preserved in reporting the several trials of importance that have taken place since its institution, in this kingdom, more particularly those for high treason, so memorable for their glorious termination, and display of the first legal and oratorical abilities extant. The same opporunity will, 'ere long, offer itself, in which we shall again be able to pursue the same line of conduct, and upon a similar occasion;—we allude to the approaching trial of Mr. Stone, now confined in Newgate. When that period arrives, we are emboldened to say, from the arrangements we have made, that our miscellany will contain the most full, accurate, and impartial account of this interesting and important business of any other publication of the time.

MEMOIRS OF CORMATIN,

MAJOR-GENERAL OF THE ROYAL AND CATHOLIC ARMY.

THE Baron, who has taken upon himself the protection of Britany, has the family name of Desotteux; his birth was in a little village of Burgundy. Small may be the fortunes with which great men start, and lowly the condition whence they begin their career.— His father was what is termed a barber-surgeon.

His uncle was surgeon-major in the king's regiment, and having by his skill recovered the baron and baroness Viomesnil of a dangerous indisposition, he requested a sub-lieutenancy for his nephew. With the baron the young man embarked for America.

When he arrived, he had discretion enough to conciliate the favour of the Lameths—if he stopped a little lower than he ought, he had, at least, in the character of his patrons, an apology such as all men are not lucky enough to find.

Upon the ratification of peace, he followed the Lameths back to France, attached himself to their fortunes, bound himself to their opinions, and entered with them the mazes of that political intrigue, which produced the first revolution. Then it was that his patrons declaimed against a court which had heaped its favours upon them, and Destoteux followed the track of their footing, and mingled in the invectives of the reformers. In the famous march to Versailles in the nights of the 5th and 6th of October, when the Lameths and the Orleans factions united in the degration of the sovereign, Desotteux was in the van of the national guards, and concealed for a time his person in the dress of a poissarde. Such services of course demanded a suitable recompence, and he was dignified by a military rank; and, as a person worthy of the deepest trust, sent on a secret mission to Metz, to be near the marquis de Bouille.

From this vicinage a trifling error arose in the political judgment of Desotteux: he imagined the court would regain its ascendency, and he flung off the RED CAP, to become a royalist with de Bouille. The king's unfortunate flight to Varennes determined our hero to emigrate. The ruling powers then were well enough inclined to have scrutinized his versatility of principle.

At Coblentz, the first emigrants reproached him with his facility, and he returned to Paris, where he obtained a sub-lieutenancy in the maison constitutionelle du roi. On the 10th of August he emigrated a second time.— He was still pointedly obnoxious to the emigrants, and little trusted by any party: he entered France again in Britanny, and from M. de Puisayes he obtained the recommendation, which introduced him to Boishardy.

Cormatin is a barony, for whose creation he is said to be indebted to a lively imagination. Such talents as he possesses he knows how to render current in the world. Since his exaltation he sent into Burgundy to his lady the baroness to intreat her to join him. This proposition was rejected with disdain; and his is one of the innumerable proofs of the adage that

"A prophet has no credit in his own country"

The townsmen of Cormatin hold him in no distingiushed respect, notwithstanding the rank he has assumed, and the situation he has obtained.

LAW REPORT.

LINCOLN'S-INN HALL, JULY 29.

BEFORE THE LORD CHANCELLOR.

The Rev. Dr. Ripppon *v.* Crosby.

ON the part of the rev. Dr. Rippon, the Attorney General moved the court for an injunction, in order to restrain the defendant, Mr. Crosby, an eminent bookseller, in Stationer's-court, from printing and publishing in future an edition of a book entitled, "*A selection of Divine Hymns,*" *&c.*

Dr. Rippon in his affidavit, among other things swore, that in the year 1793, he had after great labour and expence, published a selection of Divine Hymns, which he intended as an Appendix to Dr. Watts's Psalms; that his book had gone through no fewer than five editions, and that it had been attended with great profit and advantage to him; that he had entered it at Stationer's Hall pursuant to the statute, and that the defendant, on and since the 20th of June, 1795, had sold a pirated edition of it to the great loss of him the plaintiff; and, therefore, that application was made to the lord Chancellor. It was observed, among other things, by the counsel for the defendant, that this bill had only been filed two days ago, so that his client had had no opportunity of answering the allegations stated in it. Although Mr. Crosby had sold this book since the 20th of June last, and although the plaintiff was acquainted with that circircumstance, he never till two days ago gave him the least information or notice that he meant to move for an injunction. The learned gentleman conceived that application was made to the court under circumstances that were singular, and hoped the court would not grant an injunction. The plaintiff did not state in his affidavit, that he was the author of any of those Hymns. On the contrary, it appeared from his preface (part of which was read by the counsel) that he had received them either from those gentlemen who were the authors, or who had received them from those who were; and, therefore, he submitted the plaintiff could not have a copy-right in such a collection. It was not the plaintiff who had any reason to complain that the defendant had published and sold them, but those gentlemen who were the authors of them. The Hymns published by the defendant were not exactly the same with those that had been published by the plaintiff. Some of them, it was true, had been copied, and these were interspersed with others, which were not to be found in the plaintiff's collection. The defendant had also written a new preface to his edition. If it was held that the plaintiff had a copy right in these Hymns, it seemed to follow, that if any gentleman took a book of reports that was now published, and added a few later cases to it, he would acquire the copy right to the whole. But suppose the plaintiff had been the author of these Hymns, he conceived he could not be said to possess the copy-right in this case, inasmuch as he had not followed the provisions of 8 Ann, c. 19. which directed books to be entered at Stationer's Hall before they are published. The Hymns in question were not entered at Stationer's Hall till long after they had been published, and till after they had gone through several editions: for these reasons it was hoped the injunction would be refused.

The lord Chancellor however granted the injunction.

DOMETIC EVENTS.

THERE have been great disturbances at Berwick in consequence of the high price of provisions. In most other parts of the kingdom similar commotions have taken place for the same cause.

The use of brown bread is generally recommended, but the bakers are tardy in making it. Many of them make it so bad that it cannot be eaten.

Most of the privates in the army have received orders not to wear powder.

PUBLIC OFFICE, BOW STREET.

Before J. Floud, Esq.

On Saturday, 25th inst. Thomas Todd, footman to —— Boddington, esq. at Clapton, was brought up for re-examination; charged on oath with having violently assaulted and beat William M'Kinley, a corporal in the 12th regiment of light dragoons; and also with having aided in the rescue of a deserter from the same regiment, then in the charge of the said corporal, on Wednesday 22d inst. in Holborn.

James Molloy deposed, that he is a serjeant in the 12th regiment of light dragoons, now at Southampton, under orders for embarkation; that his party having rested at the George and Blue Boar Inn, Holborn, on their rout to join the regiment, as he, on Wednesday, about one o'clock, was walking down Holborn, he met a man, named

James Fortune, whom he knew to be a deserter from the above regiment; in consequence of which he took him into custody, and carried him to the George and Blue Boar, and gave him in charge to corporal William M'Kinley of the same corps. When in the tap room, he begged the witness to represent his case as favourable as possible to the col. sir J. Sinclair, and said he deserted is consequence of his having been punished. The witness then called a coach, in order to convey the deserter to a place of security; and when the corporel was leading him to the coach, a number of people collected round them; some of whom called out "Crimps." The mob immediately pressed upon them, and after a scuffle between the corporal and the deserter, in which blows passed, the deserter ran into a cellar. He saw the corporal come out of the cellar, with his sword broke; at which time the mob were pelting them with dirt: foremost in which he saw the prisoner Todd, who had a stick with which he struck the corporal several blows. The mob then became very violent, and he was knocked down and severely beat and kicked, but luckily escaped to a hackney coach.

William M'Kinley deposed to the same effect, and added, that upon his following the deserter into the cellar, he received a blow on the head from a hammer, and the deserter attempted to wrench his sword from him, which induced him to strike at him twice with it; one of which strokes cut his forehead, and the other took his nose off; the mob now pouring into the cellar, obliged him to leave his charge and run into the street. When the prisoner Todd, who was at the head of the mob, attacked him with a stick, and gave him several severe blows. At this interval, a gentleman persuaded him to give up his sword, which was broke, as that might pacify the mob; instead of which they were more violent than ever, knocked him down, beat him very much, and dragged him on the ground by one leg down Chancery-lane, and were trying to drag him under the wheel of a timber-cart, when Mr. Wyld, the high-constable, and two gentlemen, rescued him, and conveyed him into a stable-yard.

Mr. Wyld corroborated, and said, it was with the greatest difficulty he could prevent the mob from dragging the corporal under the wheels of a cart.

The prisoner was committed to take his trial.

FOREIGN EVENTS.

THE emigrants in Quiberon have experienced little else but disasters since their landing—great secrecy is observed with respect to particulars.

DIET OF RATISBON, JULY 5.

The act containing the opinion of the empire, of which the conclusum of the college of princes was taken as the basis, is as follows:

"It has been deemed necessary, and is resolved, 1st. that the firm wish and determination of the empire may be directed towards obtaining, by the undivided and steady union of the different states, a general peace for the empire, agreeably to its constitution; and in consequence, a restoration of the integrity of its territories, and its constitution, in the most speedy possible manner. That for this purpose, 2. The inclination and readiness of the empire for opening negociations for peace, ought to be declared to France, and agreements about the time and place for a meeting of both parties entered into. That 3. This first introduction should be left solely to the wisdom of his imperial majesty; he is, however, respectfully desired to forward it with the utmost speed, to appoint Frankfort as the place of congress: or, in case any objection to this place should exist, to name any other place convenient for the purpose, to take all the measures necessary for the full security of the congress, and to think at the same time, (if it can be done conveniently without endangering the negociations,) if not of an armistice, however, of discontinuing all requisitions, and devastations, and to make the diet acquainted with what success these proceeding are attended. 4. That, for the better gaining of this purpose, his majesty the king of Prussia may be made acquainted with the confidence and the wish of the empire,

that he, according to his frequent voluntary and consolatory assurances, would assist, by his co-operation and interference, in gaining a peace which might ensure the integrity and constitution of the empire. And 5. That, while his imperial majesty was thus occupied in taking the measures necessary for the opening the negociations, the deliberations on the remaining points of the aulic decree should be continued, and as soon as possible the conclusion of it forwarded.

Brittany, the present scene of action, is a considerable province in France, as mountainous as Wales, but by no means as fertile. It is 150 miles in length, and 112 in breadth. It is a peninsula surrounded on all sides by the ocean, except on the east, where it joins to Anjou, Maine, Normandy, and Poitou. It is divided into the upper and lower Bretagne. Rennes is the capital. The people are unlettered and ignorant, and still groan under the yoke of the feudal system. They are almost unacquainted with the new order of things, as they scarely understand the French language.

An English theatre has lately been instituted at Hamburgh.

An article from Paris states that Barrere effected his escape from Saintes, just as his trial was about to commence.

VIENNA, JULY 15.

The greatest preparations for war are making throughout the Ottoman empire, and the Turkish army on the confines of the Crimea has already been put on the war establishment. The grand signior is expected to issue a manifesto respecting Poland. Yesterday a misfortune happened in the imperial laboratory at Luxembourg, which has overwhelmed this capital with the deepest sorrow. His royal highness the archduke Palatine, who wished to give a firework in honour of the birth-day of the archduchess Amelia, his sister, went at eleven o'clock yesterday morning to the laboratory, to be present at the preparations which were making for that purpose. One of the machines full of combustibles took fire, in consequence of which one of his royal highness's valets was struck down dead by the side of the archduke, and his royal highness and another attendant were so severely wounded, that the latter died a few hours after. His royal highness himself died in consequence of the wounds he received at ten o'clock this morning. This melancholy news was just received when the emperor and his august spouse were on their way to their illustrious brother.

A courier arrived from Italy on the 7th inst. brought intelligence of field marshal de Vins having beaten the French near Savona. He took 600 prisoners and twelve pieces of cannon; they likewise partly took and partly destroyed two French magazines. A considerable corps of the French, it is said, are hemmed in in such a manner as to be obliged either to fight their way through, or surrender prisoners of war. Artillery and ammunition continue to be transported to Bohemia, where magazines are establishing. Field marshal Bender is now at Carlsbad, for the restoration of his health.

The stadtholderian party in Holland are gaining great encrease of power.

NAVAL EVENTS.

UPWARDS of 20 East Indiamen have safely arrived in the river.

Ten sail of the line are said to be in Brest harbour.

Our commanders begin to despair of success in their expeditions against L'Orient and Belleisle.

The following letter has been received at Lloyd's coffee-house:

Leghorn, July 3, 1795.

The Dido frigate, of 28 guns and 200 men, and the Lowestoffe, of 32 guns and 250 men, have taken and carried into Mahon the Minerva French frigate, of 44 guns and 440 men. The English ships were attacked by two French frigates of equal force; the Minerva, wanting to board the Dido, carried away, by a gale of wind springing up in her favour, the Dido's mizen mast, but lost her own bowsprit and foremast, which enabled the Dido to rake her. The Minerva lost 40 men killed, besides a great number wounded. The

Lowestoffe gave chace to the other, but she made the best of her way off, as soon as she saw the Minerva dismasted.

NAVY SURGEONS.

The following augmentations in the pay of this useful class of officers has lately taken place:

The first twenty-five on the list, who have served on board nine years, are to receive 5s. per diem, half-pay.

The next fifty, for seven years service, 3s. 6d. per diem, half-pay.

The next fifty 3s. per diem; and all below on the list, for five years service, will be paid 2s. 6d. half-pay.

The fine of 15s. for curing seamen of a certain malady is abolished, and the surgeon is to receive at the rate of 8l. a year for every hundred men of the compliment, for this perquisite, which has been considered an impolitic and inhuman charge. For a further encouragement to the surgeons, the 2ds are to be paid in full from the ship's commission, whether the men are borne on the books or not. The widows of surgeons are to have an increase to their annuities of 10l. per annum.—The pay of surgeons' mates is increased at the rate of 1l. per month to each mate; and when a first mate passes for surgeon, and provides himself with a set of instruments, he is to receive 5l. per month.

The following are the dimensions of the Ville de Paris, lately launched at Chatham:

Length from head to stern	—	230 feet
Width	———	53
Carries on her lower deck,	30 g.	32 pds.
middle ditto	30	24
upper ditto	32	18
quarter ditto	14	12
forecastle	4	12
	110	

LIST OF NEW PUBLICATIONS, AND NEW EDITIONS,

SINCE OUR LAST.

An Elementary Introduction to the Latin Grammar, with practical Exercises after a new method, adapted to the capacities of young beginners. 3s. 6d. bound—Boosey.

Appel a l'Impartiale posterite par la Citoyenne Roland, Femme du ministre de l'Interieur. 8s. 6d.—Johnson.

Aldersons English Grammatical Exercises, comprised in a variety of Examples under the different rules of Syntax 1s bound—Piguenet.

A collection of State Papers relative to the War with France. 2 vols. 8vo. 21s. boards—Debrett.

Condorcet's (marquis de) outlines of an Historical View of the Progress of the Human Mind, translated from the French, 8vo. 6s. boards. Johnson.

D'Ivernois Revolution Francaise a Geneve, 2nd edition, Augmentié. 3s. Elmsley.

Evans's Sketch of the Different Denominations into which the Christian World is divided, accompanied with a Persuasive to Religious Moderation, to which is prefixed a short account of Atheism, Deism, Judaism and Christianity adapted to the present times, 2nd edition, considerable enlarged 12mo. 1s. 6d. sewed—Crosby.

The same on fine paper hot pressed, 2s. sewed.

Frogmore Fair, a Poem, fully descriptive of the Dutch Wake in honour of her Majesty's birth day, May 19, 1795. 4to. 2s.—Crosby.

Ferriers Medical Histories and Reflections, vol. 2. On the Conversion of Diseases, of Insanity, Remedies of the Dropsy, Prevention of Fevers, Dilitation of the Heart, &c. &c. 8vo. 5s. boards —Cadell.

Hodgson's (Septimus M.B.) Address to the different classes of Persons of Great Britain on the present scarcity and high price of provisions, to which is added, an Appendix containing a Table of the Average price of Wheat from 1595 to 1790. 1s. 6d.—Cadell.

Lewis's Court fees, inscribed to Peter Pindar, Esq. 1s.—Hookham.

Louvet's le recet de mes périls depuis le 31 Mai 1793. 4s.—Johnson.

Lymes Latin primer, in 3 parts 2s. 6d. bound—Stockdale.

Love and Truth in 2 letters, written by Isaac Walton in 1680, a new edition with a preface by Thomas Zouch A. M. 8vo. 2s.—Dilly.

Perry's disquisition of the stone and gravel, and all calculous obstructions of the urinary passages, &c. 8th edition. 2s.—Crosby.

Philectetus in lemos, a drama in 3 acts, to which is prefixed a green-

room scene, exhibiting a sketch of the present theatrical taste. 2s.—Bingley.

Sourcesol's essence of languages, or the essential principles of grammar, particularly applied to the English, Italian and French. 2s. 6d.—Boosey.

Sampson's sermon on the duty and importance of religious worship at Camberwell, June 28. 1s.—Lowndes.

The Essence of Sidney's works on Government to which is added his Essay on Love. 8vo. 4s. boards—Johnson.

The Koran, commonly called the Alcoran of Mohamed translated from the original Arabic, with notes and a Preliminary Discourse by George Sale, Gent. new edition 2 vols. 8vo. 16s. boards.—Vernor.

The same on fine paper, 21s. boards.

The Natural History of Man, containing a Survey of the human species in every part of the globe, &c. &c. with 20 plates 8vo. 8s. boards—Champante.

The same with coloured plates 15s. boards.

The Democrat, interspersed with Anecdotes of well known characters, 2 vols. 12mo. 6s. sewed—Lane.

The Conclusion of the late Dr. Hartley's observations of the Nature, Power, and expectations of Man with Notes by the Editor, 4s. boards—Elmsley.

The World's Doom, or Cabinet of Fate Unlocked, containing all the ancient and modern Prophecies relative to the present & nearly approaching Times, and also all the prophetic Treatises entire, upon which the public mind has been so much engaged, with their ablest Commentators and Answerers, 2 vols. 12mo. 9s. 6d. boards—Crosby.

The same in 19 weekly numbers 6d. each.

Wilson's Collection of Anecdotes, 1s. Hamilton.

Winterbotham's Historical, Geographical, and Philosophical View of the Chinese Empire, 8vo. 9s. 6d. boards. Ridgway.

TOTAL DEFEAT OF THE EMIGRANTS.

WERE we in the least inclined to self-commendation, we have here an opportunity in which we could satisfy that inclination to the fullest extent. We have uniformly reprobated the emigrant expedition on the coast of Brittany from the time it was first mentioned, as we were persuaded it never could answer any beneficial or advantageous purpose, and we partly anticipated, as our readers will see in the preceding part of this number, the melancholy result which has just reached this country, and of which we are enabled to state only the outlines, the greatest secrecy being carefully observed by government on the occasion. The melancholy account that has been yet circulated upon which the most reliance can be placed is as follows:

On the night of the 21st, the privates of two corps, collected chiefly from among the French prisoners of war in this country, (D'Hervilly's own corps is said to be one) and well known to be irreclaimable republicans long before they sailed from England, gave the countersign to general Hoche, rose upon their officers, and delivered up to the enemy the post they were stationed to defend. This was the opportunity expected by Hoche for making a general attack upon the rest, who, surprized, betrayed, and overpowered by numbers, were unable even to secure a retreat. Two battallions, landed since the first descent, under the command of M. Sombrieul, made so gallant a defence that general Hoche allowed them terms of capitulation. The whole army, except perhaps a few, who may have accidentally been on board the ships at the time, are either killed, prisoners, or gone over to the enemy.

These are the few particulars of this disastrous event that have hitherto transpired. We tremble at what the sad and lamentable detail will probably produce.

London Gazette, July 28, 1795.

ADMIRALTY-OFFICE, July 28.

Extract of a letter from rear-admiral Murray, commander in chief of his majesty's ships and vessels employed in North America, to Evan Nepean, Esq. secretary to the admiralty, dated Halifax, June 22, 1795.

ON the 7th of January, I sent the Oiseau and Argonaut to cruize, and on the 11th the Argonaut returned, bringing with her the French corvette L'Esperance, which she took on the 8th.—No. 2, is a copy of captain Ball's letter to me, mentioning the circumstance of her capture. As I found the Esperance completely fitted and in good repair, and being much in want of a vessel of the kind, on the 31st of January I sent her and the Lynx to cruize. These vessels took a privateer from Charlestown, named La Cocarde Nationale, mounting fourteen guns and six swivels, and carrying eighty men. They also retook the ship Norfolk, of Belfast, and brig, George, of Workington.—The former they sent to Providence, and the latter to Halifax.

The squadron retook an American ship called the Ceres, laden with Dutch property, from Amsterdam to Surinam, which had been captured near the port of her destination by a French privateer from Baltimore, and sent her to Halifax.

(COPY.)

Argonaut, Lyn, Haven Bay, January 11, 1795.

SIR,

I HAVE the satisfaction to acquaint you, that on the 8th instant, Cape Henry then bearing E. S. E. about eighteen leagues, I captured a French republican ship of war, called the Esperance, mounting twenty-two guns, (six and four pounders) and one hundred and thirty men, commanded by Monsieur De St. Laurent, a lieutenant de Vaisseau.

She is a very complete vessel, and sails well. She had been out fifty-six days from Rochfort, and was bound to the Chesepeak.

I have the honour to be, &c.

ALEX. JOHN BALL.

Rear Admiral Murray, &c. &c. &c.

BANKRUPTS.

Moses Harrison, Darlington, Durham, timber-merchant.

Christopher Henderson, Loughborough, Cumberland, banker.

John Humphreys, Fleet-street, London, victualler.

James Evans, Pater-noster-row, London, bookseller.

Charles Emmett, Bristol, victualler.

William Pownall, Bristol, merchant.

Thomas Hawkes, Henley in Arden, Warwickshire, grocer.

James Fortescue Williams, Exeter, fuller.

J. L. M'Clellan, Plymouth, papermaker.

John Newcomb, Pall-mall, bootmaker.

Isaac Israel Nunes, Goswell-street-road, merchant.

John Kingsmore, Mereworth, Kent, corn-dealer.

James Parr, Oxford, brandy merchant.

John Higinbothom, Southampton-street, hosier.

George Wright Anderson and George Stapleton, Surry-road, mercers.

Edward Mackintosh, Fleet-street, stock-broker.

James Horton, Kidderminster, flax-dresser.

Richard Boothby, Thwongsbridge, Yorkshire, mustard manufacturer.

Robert Clemmons, Southwark, stone mason.

H. Ginder, Upper Bristol Road, Somersetshire, victualler.

James Witch, Water-atreet, Strand, coachmaster.

B. Le Gard Kentish, Craven-street, Strand, merchant.

Edward Paulden, Ashton under Line, Lancashire, cotton spinner.

David Lane, Plymouth, victualler.

Samuel Delves, Birmingham, jobbing smith.

Thomas Denison, Alderston, Yorkshire, horse dealer.

Owen Batchelor, Corn-street, Bath, corn-factor.

William Came, Bridgewater, Somersetshire, vintner.

DIVIDENDS.

August 11. Elizabeth Grace, Ann Grace, and Jane Grace, Newcastle-uner-Line, milliners.

August 7. Edith Brooks, Town and Country of Poole, merchant

August 12. Robert Shout, the younger, Sunderland, Durham, groeer.

August 7. William Young, Town and County of Poole, ropemaker

August 22. William I'Anson, Pontefract, Yorkshire, brandy merchant.

August 4. Harriot Frideberg and Joseph Fridberg, Mansell-street, Goodman's-fields, Middlesex, jewellers.

August 6. Richard Blake, Bristol, insurance broker.

August 5. Joseph Wichar, Petworth, Sussex, surgeon and apothecary.

August 29. Holdsworth Newman, Little Dartmouth' Devonshire, merchant.

August 15. Charles Anderson, Grubb-street, London, horse dealer.

August 8. William Blackisock, Alderman-bury, wholesale hosier.

August 8. Hutchinson Mure, Robert Mure, and William Mure, Fenchurch-street, London, merchants.

August 8. Thomas Lozano Frescada, Red-lion-court, West Smithfield, London, merch.

August 18. John Hopkins, Bristol, victualler.

August 20. William Brockington, St. Thomas the Apostle, Devonshire, serge maker

August 19. James Blencowe, Brackley, Northamptonshire, mercer

Aug. 15. Thomas Bradley, Almondbury, Yorkshire, merchant.

August 11. Thomas Dawson, Wych-street, middlesex, woollen-draper.

August 13. C. Baker, Romsey, Southampton, oil leather dresser.

August 13. T. Hirst, Grave, Nether Thong, Almondbury, Yorkshire, merchant.

August 17. J. Mill, Bideford, Devonshire, mercer.

August 17. J. Noble, Wakefield, Yorkshire, upholsterer.

Sept. 1. D. Blachford and R. Blachford, Lombard-street, lacemen.

August 15. S. Bowring and S. Trist, Cheapside, haberdashers.

August 12. G. Carlin, Selston, Nottinghamshire, hosier.

August 11. J. Lodge, Vauxhall, Lambeth, setter.

August 17. J. Nash, Chipping Sodbury, Gloucestershire, draper.

Sept. 1. Thomas Smith, Strand, vintner.

August. 28. John and James Barker, East Retford, mercers.

Aug. 17. John Boucher, jun. Birmingham, grocer.

Aug. 13. J. Cheshire, Over Whitacre, Warwick, architect.

Aug. 17. Jos. Scrace, Whitchurch, Oxfordshire, dealer.

Aug. 11. James Broadbent, Manchester, feltmaker.

Aug. 24. Sam. Jacobs, Southampton, merch

Aug. 25. R. Hoakesly, Nottingham-street, Mary-le-bonne, merchant.

Aug. 18. Wm. Pratt, Wantage, Berks, scrivener.

Aug. 17. John Gould, Candwell, Leicestershire, sheep jobber.

Aug. 17. Thomas Peach, Loughborough, Liecestershire, hosier.

Aug. 19. Thomas Powell, Llywell, Breconshire, butter merchant.

Aug. 21. Philip Sarell, Exeter, dealer and chapman.

Aug. 20. Thomas Wyer, Ilkiston, Derbyshire, shopkeeper.

TO CORRESPONDENTS.

Our correspondent, C .Z. will, we are confident, upon reflection, think different to what he does at present respecting the subject of his letter. Private defamation we have frequently before delared shall never disgrace the REGISTER OF THE TIMES.

Mr. Wilson's pen of invective may, indeed, with some degree of propriety, be exercised in exposing the lady in question, however exalted her station, yet we are persuaded that he will see the indispensible necessity of tempering his language with a little more moderation before he can expect his production to appear in our publication.

The anecdote respecting the younger Bannister, the deserved favourite of the town, is not sufficiently authenticated to gain insertion, although we can readily believe that no man is more likely to commit the philanthrophic act related, than this celebrated performer.

The gentleman who dates his letter from Folkstone Camp, may rest assured of our account of captain Wightman's trial being correct. There are more trials of a similar nature, on the eve of commencing, which promise to be highly interesting and important. We shall take special care to detail them with accuracy and impartiality.

We are much obliged to Mr. Wyatt, of Chelmsford, for his kind intentions, but the particulars of the trial of Miss Broderick, which are inserted in this number, were committed to the press previous to the arrival of his favour. We are happy to find on comparing the two accounts, that ours was by no means deficient in any one estential point.

We are desired by Mr. Crosby to state (and this is the only part of the number at present open in which we can comply with his request) that the servant, in livery, who purchased the five volumes of the Register of the Times, on Wednesday morning last, by the directions of his master, named (as well as can be recollected) "WELLFORT," left behind him, on the counter a FIVE POUND BANK BILL. As he declared, at the time, that his master's intentions were to give orders to a bookseller to supply him with the subsequent numbers ,it is presumed that the above circumstance may be conveyed to the owner of the property with greater certainty through the medium of this publication than by an advertisement in a daily paper.